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MINUTES OF THE PROCEEDINGS  
OF  
THE COUNCIL  
OF THE  
CITY OF PITTSBURGH  
*FOR THE YEAR 1980*

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Burlington Fleet Services, for professional consulting services in connection with the management of the City's vehicle fleet.....	605, 678, 717, 758
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Davis & Warde, Inc., to provide upgrade training for current employees.....	1131
Drane, Walter H. Company, for services in connection with the indexing, preparation of formats, printing and other related work, of the Pittsburgh Code and supplement thereto.....	415, 515
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Ernst and Whinney, for professional services in connection with Weatherization Program.....	552, 626
Fox Chapel Stone and Supply, Inc., for use of right-of-way over City property on Freeport Road.....	1108, 1175
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Johnson and Higgins of Pennsylvania, Inc., for professional services in connection with the Municipal Pension Fund, Policeman's Relief and Pension Fund, and Fireman's Relief and Pension Fund.....	660, 703
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Maynard, H. B. and Company, Inc., for professional services in connection with a Vehicle Maintenance Garage Consolidation Study.....	651, 696
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Port Authority of Allegheny County, for construction of the Light Rail Transit Subway in a street or streets located in the Central Business District of the City of Pittsburgh .....	907, 951
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Allegheny County Steam Heating Company, to construct, maintain and use at its own expense a 12" gasoline with locked shutoff valve, protected by (4) 6" concrete filled steel posts on sidewalk of Etna Street .....	940, 1004
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American National Red Cross, its successors and assigns, to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of the Boulevard of the Allies.....	63, 140
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American Thermoplastic Company, its successors and assigns, to construct, maintain and use, at its own cost and expense two circular planters in the sidewalk area of 622 Second Avenue .....	1086, 1138
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Bank Center, Limited, to construct, maintain and use at its own cost a marquee over entrance to building at 416 Wood Street.....	742, 809
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Bell Telephone Company, its successors and assigns, to construct, maintain and use at its own cost and expense a Bell Telephone Utility Cabinet behind the sidewalk portion of the various agreed upon locations in the City of Pittsburgh .....	940, 1004, 1029
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Butler, Elizabeth R., estate of, its successors and assigns, to continue to maintain and use at its own cost and expense, for the duration of the structure at 117 Benton Avenue, that portion of said encroachment on Weitz Way .....	411, 461
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Marjanco Builders & Contractors, their successors and assigns, to construct, maintain and use at their own cost and expense, a fire escape over a portion of the sidewalk of 46th Street.....	391, 442
National Valve and Manufacturing Company, its successors or assigns, to construct, maintain and use, at its own cost and expense a concrete drive on a portion of the street in Spring Way.....	940, 1004
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Brookdale Street, from Georgette Way to Cortina Way .....	852, 921
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Maywood Street, easterly 20 ft. section to Maywood Street.....	716, 788
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Oakridge Street, from Georgette Way to Cortina Street.....	852, 921
Olcott Street, from Mission Street to north line of Nebo Street.....	828, 896
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Palmtown Street, from Daleview Street to Brookdale Street.....	852, 921
Patterson Way, from Julia Street to Bellevue Street.....	828, 896
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Pine Street, from Fernleaf to its westerly terminus.....	828, 896
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Seawall Way, from Fernleaf Street to Marengo Street.....	828, 896
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Slick Way, from Greyfox Way to Sunbeam Street.....	852, 921
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<b>Warner Cable Corp. of Pittsburgh</b>	
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<b>Warner, Susan P.</b>	
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A/C Pipe, Inc., in the amount of \$958.29.....	828, 887
Air and Power Service Company, in the amount of \$1,904.75.....	318, 376
Air & Power Service Company, in the amount of \$907.50.....	555, 613
Air & Power Service Company, in the amount of \$577.00.....	724, 784
Allegheny Cemetery, in the amount of \$20,500.00.....	911, 978
Allegheny, County of, in the amount of \$78,349.01.....	147, 165
Allegheny Ford Truck Sales, Inc., in the amount of \$575.84.....	36, 75
Allied Chemical Company, in the amount of \$35,276.41.....	412, 441
Allison Park Landscape Contractors, in the amount of \$2,575.00.....	718, 781
Allison Park Landscape Contractors, in the amount of \$1,300.00.....	942, 1001
All-State Industries, in the amount of \$2,993.00 .....	1018, 1074

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American LaFrance Company, in the amount of \$16,082.91 .....	214, 251
Anderson, Allen F., Sr. and Margaret, in the amount of \$3,000.00 .....	184, 224
Andre, Elsa, in the amount of \$1,500.00 .....	1049, 1093
Arnold Graphic Industries, Inc., for purchase of tax forms .....	19, 42
Arsenal Construction Company, in the amount of \$5,590.00 .....	148, 185
Astorino, L. D., in the amount of \$3,130.61 .....	244, 289
Ateco Equipment Company, in the aggregate amount of \$17,000.00 ....	180
Ateco Equipment Company, in the amount of \$2,172.99 .....	532, 560
Atwood & Bates Construction Company, in the amount of \$450.00 .....	1087, 1132
Augustine, Robert & Sons, Inc., in the amount of \$5,660.82 .....	1047, 1091
Aul & Karlovits, Inc., in the amount of \$273.00 .....	721, 782
Averbach, S. Lewis and Marlene, in the amount of \$1,351.34 .....	457, 494
BIF, in the amount of \$289.45 .....	1128
Babcock, Albert and Eleanor, in the amount of \$1,270.00 .....	438, 474
Bankers Lithographing Co., in the amount of \$300.00 .....	1021, 1075
Baskin and Sears, in the amount of \$22,500.00 .....	24, 72
Bastian Brothers Company, in the amount of \$727.20 .....	721, 782
Baum Boulevard Dodge, in the amount of \$1,540.06 .....	214, 250
Beattie-Coleman, in the amount of \$403.75 .....	1071, 1113
Beckwith Machinery Company, in the amount of \$25,486.97 .....	1069, 1112
Bedic, Amelia, in the amount of \$4,250.00 .....	340, 399
Beredo Construction Company, in the amount of \$4,317.00 .....	719, 781
Bethlehem Wire and Fence Co., in the amount of \$1,836.18 .....	800, 857
Bischoff, Anna V., in the amount of \$2,000.00 .....	472, 521
Bittner, Mary Ann, in the amount of \$1,381.27 .....	536, 593
Blair, Harry J., in the amount of \$546.25 .....	606, 663
Bloom, Thomas and Karen, in the amount of \$4,700.00 .....	1049, 1093
Bohem, Frederick A., Esq., in the amount of \$2,926.00 .....	149, 187
Boron Oil Company, in the amount of \$2,307.00 .....	19, 42
Boron Oil Company, in the amount of \$5,153.07 .....	36, 75
Boron Oil Company, in the amount of \$5,287.09 .....	135, 151
Boron Oil Company, in the amount of \$5,366.78 .....	135, 151
Boron Oil Company, in the amount of \$5,153.84 .....	135, 152
Boron Oil Company, in the amount of \$741.47 .....	135, 152
Boron Oil Company, in the amount of \$4,696.52 .....	147, 165
Boron Oil Company, in the amount of \$5,433.20 .....	180, 201
Boron Oil Company, in the amount of \$17,800.95 .....	412, 440
Boswell Oil Company, in the amount of \$75,006.60 .....	605, 637
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Bovie Electric Company, in the amount of \$1,995.64.....	135, 164
Brashear Association, Inc., in the amount of \$2,547.74.....	1111, 1149
Braunlich-Roessle Electrical Repairs, in the amount of \$6,324.23.....	489, 538
Brimeir Vending Company, in the amount of \$1,300.00.....	1049, 1092
Brown, Edward A., for demolition of dwellings.....	686, 704
Brown, Melva, in the amount of \$3,200.00.....	1089, 1134
Bryan, Frank, Inc., in the amount of \$294.00.....	1070, 1112
Carb, Alan L., in the amount of \$400.00.....	247, 290
Carnegie Library of Pittsburgh, in the aggregate amount of \$3,900.00.....	- 18, 68
Carnegie Library of Pittsburgh, in the amount of \$6,631.42.....	146, 185
Carnegie Library of Pittsburgh, in the aggregate amount of \$60,089.76.....	338, 399
Carnegie Library of Pittsburgh, in the amount of \$18,563.00.....	338, 399, 630, 686
Carnegie Library of Pittsburgh, in the amount of \$5,916.38.....	998, 1052
Carrier Air Conditioning, in the amount of \$730.00.....	552, 612
Carter, H. F. Inc., in the amount of \$8,006.84.....	551, 594
Carus Chemical Company, in the amount of \$38,828.40.....	532, 560
Casciato Bros., in the amount of \$2,420.00.....	22, 69
Casciato Bros., in the amount of \$2,240.00.....	22, 69
Casciato Bros., in the amount of \$2,710.00.....	66, 139
Casciato Bros., in the amount of \$2,370.00.....	414, 459
Casciato Brothers, reducing retained percentage from 10% to 3%.....	908, 976
Celli-Flynn & Assoc., in the amount of \$3,993.15.....	1018, 1073
Central Nebraska Packing, Inc., in the amount of \$2,646.00.....	533, 560
Central Nebraska Packing, Inc., in the amount of \$2,322.00.....	630, 663
Chemply, Inc., in the amount of \$6,964.82.....	412, 440
Christ, Ted, Joanne Christ, Robert Pfenningwerth, and Lois Pfenning- werth, in the amount of \$4,000.00.....	1130
Circul-Air Corp., in the amount of \$7,026.05.....	244, 289
City-County Building Weatherization Program, in the amount of \$110,000.00.....	439, 474
"City-County Building Weatherization Program" in the amount of \$110,000.00.....	1108, 1148
Civic Center Cleaning Company, in the amount of \$3,029.37.....	161, 200
Clairton Slag, Inc., in the amount of \$494.55.....	909, 977

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Clairton Slag, Inc., in the amount of \$2,797.50 .....	216, 266
Classic Arco Service, in the amount of \$450.00.....	436, 460
Cole Publications, in the amount of \$655.00.....	437, 474
Collins, Harriet M. and Robert J., in the amount of \$1,000.00.....	999, 1055
Cook, Carol A., in the amount of \$1,444.78.....	635, 688
Crown Wrecking Co., Inc., in the amount of \$282,586.85.....	247, 341
Dales Service, in the amount of \$1,800.00 .....	998, 1052, 1072
Daly, Scott V., in the amount of \$963.32.....	288, 358
Data Terminal Leasing Company, in the aggregate amount of \$12,000.00.....	180, 223
Davis, George H. Equipment Co., in the amount of \$52,000.00.....	243, 289
Davis, Mabel E., in the amount of \$2,500.00.....	288, 358
Davison Sand and Gravel Company, in the amount of \$1,903.57.....	246, 290
Davison Sand & Gravel Company, in the amount of \$706.81.....	972, 1025
Demon Electric Company, in the amount of \$9,964.00.....	718, 780
DePasquale, M., Inc., in the amount of \$71,744.79 .....	1017, 1073
DiDiano, Thomas Construction, Inc., in the amount of \$3,816.35.....	630, 687
DiDiano, Thomas Construction, Inc., in the amount of \$19,251.54 .....	852, 893
DiFiore, Carl and Therese, in the amount of \$1,603.95.....	856, 918
Doerr Brothers, Inc., in the amount of \$2,225.00.....	19, 42
Doerr Brothers, Inc., in the amount of \$1,446.00.....	214, 250
Doerr Brothers, Inc., in the amount of \$1,446.00.....	214, 250
Doerr Brothers, Inc., in the amount of \$2,965.00.....	263, 291
Doerr Brothers, Inc., in the amount of \$2,034.00.....	436, 460
Doerr Brothers, Inc., in the amount of \$2,935.00.....	716, 756
Doerr Brothers, Inc., in the amount of \$330.00.....	854, 918
Dresser, Jeffrey Corporation, in the amount of \$1,310.75 .....	1109, 1136
Duncan Industries, in the amount of \$31,974.57.....	412, 441
Duplicate, in the same amount and same payee to replace warrant lost, stolen or destroyed.....	288, 358
Duplicate, to the same payees and in the same amounts to replace same lost, stolen or inadvertently destroyed.....	686, 704
Duplicate, to same payee and in the same amount to replace same lost, stolen or inadvertently destroyed.....	491, 539
Duquesne Light Company, in the amount of \$967.19 .....	457, 493
Duquesne Light Company, in the amount of \$1,000.00.....	457, 493
Duquesne Light Company, in the amount of \$1,000.00.....	457, 493
Duquesne Light Company, Irwin and Anna Izenson, Christopher and Catherine Pasodelis, Dinner Bell, Inc., and Federal Emergency Man- agement Administration, in the total amount of \$105,300.00.....	724, 784

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Duquesne Light Company, in the amount of \$2,481.47.....	1130
Eastley, James C. Company, Inc., in the amount of \$9,807.52.....	395, 439
Eastman Kodak Company, in the amount of \$606.50.....	437, 474
Eddings, William, in the amount of \$876.84.....	944, 1001
Eisengart, Norman and Ada, in the amount of \$1,270.00.....	945, 1002
Emery CarCenter, Inc., in the amount of \$801.21.....	716, 756
Fay, Joseph B. Company, in the amount of \$36,598.23.....	148
Fay, Joseph B. Company, in the amount of \$36,598.23.....	316, 376
Fay, Joseph B. Company, in the amount of \$10,725.00.....	719, 781
Financial Press Corporation, for emergency printing of the 1979 Controller's Annual Report.....	744, 806
Firestone Stores, in the amount of \$27,029.89.....	412, 441
Firestone Stores, in the amount of \$15,060.13.....	532, 559
Fisher Scientific Company, in the amount of \$343.80.....	884, 947
Foss Ford, Inc., in the amount of \$13,878.20.....	19, 43
Foss Ford, Inc., in the amount of \$13,693.23.....	19, 43
Foss Ford, Inc., in the amount of \$6,480.07.....	36, 75
Foss Ford, Inc., in the amount of \$6,949.37.....	215, 251
Foss Ford, Inc., in the amount of \$1,715.73.....	392, 416
Funk, Lois A., in the amount of \$993.13.....	536, 593
Funk, R. Richard, in the amount of \$775.00.....	413, 458
Funk, R. Richard, in the amount of \$4,010.00.....	719, 781, 1047, 1091
Funk, R. Richard, in the amount of \$108.00.....	1128
GAF Corporation, in the amount of \$399.62.....	831, 888
GMC Truck & Coach Division, in the amount of \$11,131.80.....	716, 756
Garfield, Incorporated, in the amount of \$3,656.00.....	145, 185
Garner, Veronica G., in the amount of \$859.56.....	183, 224
Gehring, Carol, in the amount of \$782.44.....	856, 918
Geis, Howard, in the amount of \$1,000.00.....	1049, 1093
General Tire Corporation, in the amount of \$34,173.79.....	1146
General Electric Company, in the amount of \$84,091.00.....	490, 538
General Electric, in the amount of \$7,930.00.....	998, 1052
General Elevator, in the amount of \$1,544.00.....	1018, 1073
General Motors Corporation, in the amount of \$18,555.33.....	19, 42
General Motors Corporation, in the amount of \$11,144.35.....	36, 75
General Motors Corporation, in the amount of \$16,811.53.....	215, 251
General Tire Service, in the amount of \$6,861.23.....	412, 440
General Tire Service, in the amount of \$1,040.00.....	412, 440
General Tire Service, in the amount of \$5,429.58.....	532, 559

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General Tire Service Co., in the amount of \$2,239.23 .....	715, 779
General Tire Service, in the amount of \$302.64 .....	743, 805
General Tire Service, in the amount of \$20,514.49 .....	853, 893
Gilmore, William J., in the amount of \$7,000.00 .....	415, 459
Glatz, Andrew W. and Marguerita R., in the amount of \$2,090.00 .....	219, 266
Goodrich, B. F. Tire Center, in the amount of \$700.06 .....	286, 321
Government Employees Insurance Company and Robert Gentile, in the amount of \$1,108.99 .....	116, 151
Graybar Electric Company, Inc., in the amount of \$533.30 .....	413, 458
Gregg, Christina, in the amount of \$8,500.00 .....	554, 613, 686, 704
Griffith, E. H. Inc., in the amount of \$817.41 .....	853, 917
Grogan, Graffam, McGinley, Solomon & Lucchino, in the amount of \$285.00 .....	724, 784
Hamburg, D. R., in the amount of \$1,300.00 .....	146, 185
Hanlon Electric Company, in the amount of \$1,957.50 .....	718, 781, 1129
Hanlon Electric Company, in the amount of \$932.50 .....	1128
Hanna, Howard, in the amount of \$150.00 .....	603, 663
Hanna, Howard, in the amount of \$400.00 .....	603, 663
Harrington, H. C. Company, Inc., in the amount of \$5,491.20 .....	854, 918
Heinrich, John M. and Colleen O., in the amount of \$1,425.00 .....	340, 400
Hodak, William, in the amount of \$890.25 .....	183, 224
Holmes, Martina, in the amount of \$1,000.00 .....	587, 637
Homelite-Extron, in the amount of \$270.80 .....	1110, 1148
Hoover, Betty, in the amount of \$1,000.00 .....	374, 416
Hydra-Tech, Inc., in the amount of \$787.55 .....	19, 42
IBM Corporation, in the amount of \$4,500.00 .....	263, 320
Industrial Sealing Devices Div., in the amount of \$397.85 .....	1128
International Business Machines Corporation, in the amount of \$1,164.00 .....	21, 69
International Business Machines Corporation, in the amount of \$1,218.00 .....	247, 290
International Business Machines Corporation, in the amount of \$1,218.00 .....	587, 636
International Business Machines Corporation, in the amount of \$1,218.00 .....	773, 835
International Business Machines Corporation, in the amount of \$1,218.00 .....	1070, 1113
Jackson Welding Supply Company, in the amount of \$5,027.05 .....	653, 689
Jamar Park Business Forms, in the amount of \$1,095.00 .....	24, 71

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J-Jac Construction Corporation, issuance and payment of a semi-final estimate.....	453, 492
J-Jac Construction Company, in the amount of \$23,339.20.....	908, 976
Johnson, Gertrude, in the amount of \$1,587.56.....	1072, 1114
Jones, Joseph L., in the amount of \$1,250.00.....	554, 662
Josowitz, Jack and Marlene, in the amount of \$862.50 .....	724, 783
Jurczyk, Edward, in the amount of \$912.18 .....	856, 918
Kamin, Dorothy M., et al, in the amount of \$1,062.50.....	723, 783
Kappe Associates, Inc., in the amount of \$3,951.00 .....	972, 1026
Kellum, Arthur C., in the amount of \$1,029.30 .....	339, 399
Kelly, John P., in the amount of \$7,000.00 .....	415, 459
King, Thomas J. and Donald, in the amount of \$854.00 .....	183, 224
Kirby Electric Services, Inc., in the amount of \$444.60 .....	436, 473
Kourkoutis, Kalotina, Administratarix of the estate of Kostas Kourkoutis, in the amount of \$2,500.00.....	1021, 1075
Koutoufaris, Simeon and Tina, in the amount of \$2,864.00.....	975, 1027
Kozeka, Sharon L., in the amount of \$889.11 .....	457, 494
Landau Building Co., in the amount of \$12,218.00 .....	315, 375
Lee, Donald J., in the amount of \$1,875.00 .....	179, 220
Lewis & Coulter, Inc., in the amount of \$402.30.....	392, 417
Linsley Enterprises, Inc., in the amount of \$291.55.....	854, 917
Mack Trucks, Inc., in the amount of \$5,490.73.....	214, 250
Mack Trucks, Inc., in the amount of \$10,830.22.....	392, 416
Maletic, Dolores E., in the amount of \$6,000.00.....	587, 637
Margols, Edward, in the amount of \$385.74 .....	1046, 1091
Markham, Rosemary, in the amount of \$3,000.00.....	911, 978
May Pipe & Supply Inc., in the amount of \$437.30 .....	246, 290
McChester, Monte, in the amount of \$1,000.00.....	491, 539
McCrory, Mary J., in the amount of \$200.00.....	532, 592
McDonough, Edward, in the amount of \$495.00 .....	606, 663
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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, January 7, 1980

No. 1

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE .... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY. . . Ass't. City Clerk

Pittsburgh, Pa.

Monday, January 7, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

In accordance with the provisions of the Act of Assembly of the Assembly of the Commonwealth of Pennsylvania, approved May 31, 1911, the Members-elect of the Council of the City of Pittsburgh, together with those holding over, convened in the Chambers at 10:00 A.M.

The Council was called to order by Michael A. Perry, City Clerk, who acted as Chairman pro tem of the meeting.

#### Mr. Perry:

This being the day and hour fixed by the Act of Assembly of the Commonwealth of Pennsylvania and the Pittsburgh Home Rule Charter for the organization of the Council

of the City of Pittsburgh, the One Hundred Twenty-First Council will be in order.

Will Sophie Masloff and Mr. Robinson please escort Mayor Richard Caliguiri into the Chambers.

We will rise for the Pledge of Allegiance to the Flag and remain standing for the invocation which will be delivered by Monsignor Paul Vanyo of St. Paul's Cathedral.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

#### Monsignor Vanyo:

Almighty and Eternal God, we are a free people whose Constitution provides that we shall choose by election those who are to represent us in government. Today our elected representatives begin a new term as legislators for the City. As they begin this new legislative term, we ask you to send your blessing upon them all, but especially upon those recently elected. Grant them the wisdom, the grace, the courage to represent and to work for the good of the citizens of this City. Bless their families who must share in this unceasing demand that good government will make upon them. Bless the City and all who work in it for good government and that it may continue to grow and prosper according to your Will.

Amen.

**Mr. Perry:**

Thank you Monsignor Vanyo. The first order of business will be the presentation of the Certificates of Election.

**The Chair presented**

Commonwealth of Pennsylvania  
County of Allegheny

Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the sixth day of November, 1979, in said County

Eugene P. DePasquale

was duly elected to the office of

**MEMBER OF COUNCIL**

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1979.

Bernard J. McGowan, Judge  
Court of Common Pleas

Francis A. Barry, Judge  
Court of Common Pleas

Jim Flaherty, Chairman  
Board of County Commissioners

Members of The Board of Elections  
Constituting The Return Board of  
Allegheny County

Also,

Bill No. 2

Commonwealth of Pennsylvania  
County of Allegheny

Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the sixth day of November, 1979, in said County

Tom Flaherty

was duly elected to the office of

**MEMBER OF COUNCIL**

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1979.

Bernard J. McGowan, Judge  
Court of Common Pleas

Francis A. Barry, Judge  
Court of Common Pleas

Jim Flaherty, Chairman  
Board of County Commissioners

Members of The Board of Elections  
Constituting The Return Board of  
Allegheny County

Also,

Bill No. 3

Commonwealth of Pennsylvania  
County of Allegheny

Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the sixth day of November, 1979, in said County

Richard E. Givens

was duly elected to the office of

**MEMBER OF COUNCIL**

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1979.

Bernard J. McGowan, Judge  
Court of Common Pleas

Francis A. Barry, Judge  
Court of Common Pleas

Jim Flaherty, Chairman  
Board of County Commissioners

Members of The Board of Elections  
Constituting The Return Board of  
Allegheny County

Also,

Bill No. 4

Commonwealth of Pennsylvania  
County of Allegheny

Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the sixth day of November, 1979, in said County

Michelle Madoff

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1979.

Bernard J. McGowan, Judge  
Court of Common Pleas

Francis A. Barry, Judge  
Court of Common Pleas

Jim Flaherty, Chairman  
Board of County Commissioners

Members of The Board of Elections  
Constituting The Return Board of  
Allegheny County

Also,

Bill No. 5

Commonwealth of Pennsylvania  
County of Allegheny

Certificate of Election

We, the undersigned, constituting the Return Board of the County of Allegheny do hereby certify that at the Election held on the sixth day of November, 1979, in said County

Jim O'Malley

was duly elected to the office of

MEMBER OF COUNCIL

Four Year Term

in the County of Allegheny, Commonwealth of Pennsylvania.

Witness our hands and the seal this twenty third day of November, 1979.

Bernard J. McGowan, Judge  
Court of Common Pleas

Francis A. Barry, Judge  
Court of Common Pleas

Jim Flaherty, Charman  
Board of County Commissioners

Members of The Board of Elections  
Constituting The Return Board of  
Allegheny County

Which were read, received and filed.

Mr. Perry:

We are honored to have with us this

morning, the Honorable Thomas Harper, Judge of the Court of Common Pleas, who will administer the Oath of Office to Eugene P. DePasquale.

The Oath of Office was administered by Judge Harper and Mr. DePasquale signed the oath.

**Mr. Perry:**

We also have with us the Honorable Harry Pecora, Magistrate of the South Side District who will administer the Oath of Office to Tom Flaherty.

The Oath of Office was administered by Harry Pecora and Mr. Flaherty signed the oath.

**Mr. Perry:**

We also have the Honorable Michael J. O'Malley, Judge of the Court of Common Pleas, who will administer the Oath of Office to Richard E. Givens.

The Oath of Office was administered by Judge O'Malley and Mr. Givens signed the oath.

**Mr. Perry:**

Also, the Honorable Francis Barry, Judge of the Court of Common Pleas, who will administer the Oath of Office to Michelle Madoff.

The Oath of Office was administered by Judge Barry and Michelle Madoff signed the oath.

**Mr. Perry:**

Also, the Honorable Stephen Zappala, Judge of the Court of Common Pleas, who will administer the Oath of Office to Jim O'Malley.

The Oath of Office was administered by Judge Zappala and Mr. O'Malley signed the oath.

**Mr. Perry:**

Being that the newly elected and re-elected members of Council have been duly sworn in, the clerk will call the roll.

And the roll being called, the following members were present:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. DePasquale</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	

**Mr. Perry:**

Nine members present. The next order of business is the nomination and election of the President of Council. What is your pleasure?

**Mrs. Masloff:**

Mr. Perry, I rise to place in nomination the name of one of our colleagues.

Every governmental body must organize if it is to be effective. Therefore, in the City Council of the City of Pittsburgh, some members must assume positions of special responsibility. We meet today to confer that responsibility on one of our colleagues. All members of this Council possess capabilities that conserve our City well, but the leadership requires a special kind of knowledge and ability which I believe is held by one of our number. Mr. Perry, I place in nomination for President of this body the Honorable Eugene "Jeep" DePasquale.

"Jeep"—and there are few people in Pittsburgh who do not use his lifelong nickname — has served his City as a Councilman with distinction and dedication for eight long and arduous years, having served as our President for the two year term just ended. He is now embarking on another four year term. "Jeep" is an enigma. He is fiercely loyal to his party but will fight all comers for what he believes is right regardless of the opposition. He is contentious, but at the same time, conciliat-

ing. He has been described as a pushover for the hard luck story of those less fortunate than he, and yet he will not hesitate to castigate those he believes seek to take unfair advantage of him or his City. "Jeep" is unflappable. He is not rattled by controversy and seeming confusion. Though he will not hesitate to speak out, he also is a steadying influence in this body. In short, "Jeep" DePasquale is an average American with a special gift for representing people. We can do no better than to select him to lead us these next 24 difficult months.

Therefoer, Mr. Perry, I am pleased to nominate "Jeep" DePasquale and urge his election to the office of President of Council.

**Mr. Perry:**

Mr. DePasquale has been nominated, any more nominations?

**Michelle Madoff:**

Mr. President, excuse me, Mr. Clerk—I got your title mixed, I just made you President — it may not be a bad choice. I did not know it was in order to prepare a statement, I thought one just submitted a name, and it is with great honor that I submit the name of Mr. William Robinson to serve as President of this body.

**Mr. Perry:**

Mr. Robinson has been nominated. Any more nominations? Any more nominatons? Any more nominations? I will entertain a motion to close nominations.

Mr. Stone moved that the nominations be closed.

Mr. Givens seconded the motion.

Which motion prevailed.

**Mr. Perry:**

Do the nominees accept the nominations?

**Mr. Robinson:**

Mr. Perry, while I am very honored that Mrs. Madoff feels that I have the qualities to lead this Council, it would seem to me that certainly the President of this Council does indeed have the support of the vast majority of these individuals and certainly I would like to give him my support. In that regard I would like to have my name withdrawn from consideraton.

**Mr. Perry:**

Mr. Robinson has withdrawn. The clerk will call the roll on the election of Eugene P. DePasquale as President of the Council of the City of Pittsburgh.

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. DePasquale	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone

Ayes 8      Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, Mr. DePasquale was approved as President of City Council.

**Mr. Perry:**

The Honorable Judge Harper will administer the Oath of Office to the President of City Council.

The Oath of Office was administered by Judge Harper to the President of City Council.

**Mr. Perry:**

Members of Council, ladies and gentlemen, may I present to you Eugene P. DePasquale, President of City Council.

**Mr. DePasquale:**

Thank you ladies and gentlemen, and my colleagues, and I do certainly want to express to my colleagues how much I appreciate their faith in me and their confidence for their vote. Thank you very much.

At this time I would like to call upon the Mayor of the City of Pittsburgh, the Honorable Richard Caliguiri, to say a few words to this fine assembled audience, Mr. Caliguiri.

**Mayor Caliguiri:**

Thank you so much Mr. President and members of City Council, family and friends of the newly elected officials on Council.

It is indeed a pleasure to be here today, it is a great positive atmosphere, one I guess that we are reveling in after yesterday's victory of the Pittsburgh Steelers over the Houston Oilers and there is no doubt in my mind that in two weeks from now we will be the first team to have won four Super Bowls in this City of Pittsburgh.

There is no doubt that today we all have to be the envy of most people across this Nation, including Mayors, I called the Mayor of Houston to try to place a bet as I did last year with him. Last year he bet me 55 gallons of oil, which he sent, and I immediately dispatched it to the City garage, which we have used. I tried to get that same bet of 55 gallons of oil but he wouldn't do it this year, he said it is too expensive.

But we've got to be more than just a City of Champions for sports. We've got to be a City of Champions for ourselves and our government and I'm pleased to see City Council today, taking on a task that I know they will in trying to run City government. There is no doubt in my mind that the eighties is going to be a decade for the cities, and no Mayor or his administration, or City Council can do it alone. We must do it together.

I am pleased to see in the audience also, our Commissioner-Elect Cyril Wecht, I believe Tom Foerster may be here, and again, it is not a case of the City doing it alone, but the City and County, as a partnership making sure that the City of Pittsburgh becomes a champion in all phases. I extend my hand of support in this partnership which is so vital to us—each and everyone of us. We've got a long way to go in Pittsburgh but there is no doubt in my mind that we have started the ball rolling and that we can finish it. I expect Pittsburgh to be the first City to see a lot of people and a lot of businesses coming back. That is the environment that we have to establish and that is the goal that we have got to plan and develop together.

Again, I want to congratulate the new members, Tom Flaherty and Jim O'Malley and the other officials who were elected today, "Jeep" DePasquale, Dick Givens, and Michelle Madoff, to their new posts. To their families, their friends and their supporters, they wouldn't be here today if it wasn't for you. I'm sure they will represent you in the manner that you elected them to, and I sure am going to look forward to working with all members of Council as well as the new County Commissioners in making Pittsburgh truly the City of Champions in all phases. Thank you so very much.

**The Chair:**

Thank you Mr. Mayor, thank you very much. The Mayor neglected to tell you that we had a bet on with the City of Houston. We agreed over the weekend that if Pittsburgh won the game, that the Mayor of Houston and the City Council members of Houston would wear Pittsburgh Steeler tee shirts for at least one day. We had to concede and say that if Houston could possibly beat the mighty Steelers, that we would wear Houston tee shirts for one day. Obviously, the Mayor and the members of Houston's City Council will be wearing Steeler tee shirts.

At this time I would like to call upon the newly elected Councilpersons to please

come up and say a few words to the audience and to their families and friends, but first of all, I would like to acknowledge that we have several public officials here in the Chambers this morning. I noticed when I first came in, a grand old gentleman of the Democratic Party, a fond friend of mine and yours and the entire City of Pittsburgh and the County of Allegheny for that matter, the City Controller, John McGrady. I saw him earlier, and I presume he is still with us, the very quiet, mild mannered Chairman of the Allegheny County Democrats and now a County Commissioner, Dr. Cyril Wecht.

Cyril and I have something in common, we are both quiet and unassuming.

I noticed over the left side of the hall there, sitting together, three close friends and three officers in the County of Allegheny, the newly elected Clerk of Courts, and the one thing he and I have in common, we both go around limping, he limps a little more than I do and he gets more votes than I do, that is the Clerk of Courts, Jack Kyle.

Sitting to his immediate left is a life-long friend from Oakland in the Fourth Ward, a former neighbor on Dawson Street, he has been the Prothonotary for eight years and will continue for the next four years, his name is John Joyce, but we all know him as Petey, Petey Joyce.

Sitting to the right of Jack Kyle, a gentleman who has worked in the office of the Treasurer for several years, he has been a deputy down there for I think something like 20 years, but everyone said he always ran the office, and all due respect to Dr. Cook, and that is the newly elected Treasurer of the County of Allegheny, Jay Costa. He is sitting in the audience, he didn't come up here and sit with his colleagues like I hoped he would, the Judge of Common Pleas Court, former Solicitor of the City of McKeesport, my good friend Judge Papadakos. Nick is not like the other judges, he went to work.

Obviously you saw the five fine gentlemen who were here earlier and who are still here and who swore in Tom Flaherty, Mr. Givens, Michelle Madoff, Jim O'Malley and myself, that would be Magistrate Pecora, from the South Side, also, from the Oakland area at one time, he got some money and moved to Mt. Lebanon, Judge Michael O'Malley, Judge you are in the audience and I have the honor of saying that his son and my son were recently graduated from the University of Pittsburgh Law School and have passed their Bar exams and are practicing attorneys—Judge Francis Barry. And a newly elected Judge and a close personal friend of mine, I don't think I have a better one in the world, that is Judge Stephen Zappala. Another gentleman who has joined him, who I had the pleasure of campaigning with several years ago, he is now Common Pleas Judge, Judge Scheib.

Another former campaigner and a very close personal friend, he swore me in today, Judge Thomas Harper.

She was sitting in the extreme left corner, Jeannie Milko, the Allegheny County Vice-Chairlady, also, the President of Local 249, and his Vice President Charlie Burns and Nick Sansotti.

There are several City Ward Chairmen and County Ward Chairmen in the audience and I would like to say thanks to all of them for coming, there are quite a few of them and certainly we would like to honor them and single them out, but I think it would take just a little too much time, but those of you that have come, thank you.

I see, also, my campaign chairman, who did a lot of hard work for me, in three of my campaigns, the only three I ever ran, that is Philip Kline.

Sitting in the back there, way back there, he tries to always hide, that is my good friend and Director of the ALCOSAN Plant and the Sanitary Authority, Jim Creehan.

No. affair would be complete without mentioning this fine gentleman's name and one of my first political supporters and I have no closer one, one of the finest labor leaders in the country and no doubt President of the finest Firefighter Local in the Country and that is Charlie Lewis.

I hope I haven't missed anybody, if I have I am sorry. Ladies and gentlemen, I know you are anxiously waiting to hear from the newly elected City Council persons and I will start by asking Tom Flaherty to come up and give an address, Mr. Flaherty.

**Mr. Flaherty:**

Monsignor Vanyo, Mayor Caliguiri, Honorable officeholders of Allegheny, friends, ladies and gentlemen, and I also believe I see about three Republicans out there, I welcome you.

I feel that I have truly arrived by standing here today. This is the third time that I have been sworn in to an office, I had served four years in the State House, but this is the first time that anyone asked me to say anything. If they would have asked me the first time, I probably would not have had that much to say, I was pretty much a green kid then, but I believe that in the last five years, I have come a long way, not only in a political sense, but more importantly in a personal way, of personal growth.

I would like to congratulate Council President Eugene "Jeep" DePasquale on his overwhelming election and I would like to thank "Jeep" for two things. He has given me the opportunity to fulfill a campaign pledge that I reiterated throughout my campaign and that is to chair the Urban State Federal Relations Sub-Committee which he has established and which will attempt to get us more state aid, more county aid, perhaps seek out the concept of State Revenue sharing, or to receive some sort of aid from the suburbanites. I also want to thank "Jeep" for not calling a session tomorrow. I recall when I was first sworn into the

House, the one time I missed in four years was the day after I was sworn in, it was a very brief session, but I had been out partying the night before, I guess celebrating a little. I have tried to get away from that "Jeep" in the past four or five years, my dad is always on me about that, my rolicking zest for life, I guess.

I just want to say a few words about what I believe this office is all about. Abraham Lincoln once said that men moving only in an official circle are apt to become merely official, not to say arbitrary in their ideas and are apt to forget that they only hold power in a representative sense. I am going to do all in my power to combat that complacency and to work as a full time member of City Council.

I am honored to be entering it at the beginning of the eighties with the exciting projects of Grant Street East, the Market Square Project, Oxford Development, the UDAG programs, the revitalization of the Hill District, the East Liberty Area, and the upswing of community groups, the concept of Community Advisory Boards which I am going to push forward with all the sense of my office.

In closing, I just wish to thank a few people and first of all, I would like to thank my father, John who has been the major influence in my life, who has mastered all of my campaigns, who first got me interested in politics. He saw something in me that I didn't see at the time, but I am starting to realize it now and dad, I would like you to stand up and take a bow.

And, if my mother did not love my father, I wouldn't be here either. As I always like to say, she tends to stand in the backdrop as long as she has her cats and dogs and does her work as far as animals, but there are even times she gets very frustrated with all the political talk around the house, if not downright angry. But it is always occasions like this where she does weep with joy. That is my mother Lucille.

I also see my sister Virginia there, and



where is Mary? Couldn't she get off work? We don't have enough clout to get her off work. My brother Greg and Daniel, why don't you stand.

I know I'm running overtime now, but I would like to thank Harry Pecora who is the Justice of the Peace from the South Side. I chose Harry because I have always been extremely close to communities, and I have always believed that the greatest service that a public official can administer is to give justice at the local level and Harry has been doing that in the finest fashion. He is extremely popular on the South Side and he comes from a very active political family. He can't indulge into politics anymore, but I would like to recognize his wonderful wife Wanda Pecora and his son Anthony who I am sure is going to be sworn into something someday as a young-comer.

The bottom line, I thank the Supreme Being for giving me my health, all my senses, my mental capacity and a vision and a sense of where I am today and you the people here. Thank you very much.

#### The Chair:

Thanks Tom, that was a very nice and a very heartwarming speech.

I did neglect to tell you that one of the first persons here today and probably one of the greatest fighters for the underdog in the City of Pittsburgh, you all know of his great fight in the East Street Valley and he is also a member of the Board of Appeals, a newly created Board in the City of Pittsburgh, my good friend and yours, Dr. Martin Kraus.

Even though I said I wasn't going to do it, we might be pressed for time, heck, what's a few more minutes of time, I am going to introduce the City Ward Chairmen who were so good to me and all of these candidates who are here in office and work so hard for election.

Sam Tiglio from the 28th Ward, I see Sam back there, Sam. Over on the left, Doc Fielder, Chairman of the 12th Ward, I'll never forget you Doc. And a couple of seats over from Doc, I didn't see him when I first came in, the President of the local Chapter of the NAACP, Harvey Adams, Harvey. Chairman of the 18th Ward, Tommy Jones, Tommy. I'm sure I saw, or did see, the Chairman of the 7th Ward, Jimmy Cunningham, Jim. And he's so small, he is in between people, I can't see him too well, but somebody pointed him out, the Chairman of the 5th Ward, Zach Winston, Zach. I don't know how anybody else feels about him, but I still consider him the Chairman of the 25th Ward, my very good friend and yours, Al Hunt, Al. One of the best Democrats we've ever had in the County of Allegheny and in the whole United States of America, she is a National Democratic Committeewoman, she's been the long time Register of Wills, we all call her "Mrs. Democrat" Rita Wilson Kane.

Again if I misseed anybody I am very sorry, I might pick it up a little later. Now, would Mr. Richard Givens come to the podium please, Dick.

#### Mr. Givens:

Mr. President, Reverend Clergy, Members of the Judiciary, public officials, and the citizens of the City of Pittsburgh. It gives me great pleasure today to be up here talking to all of you. At this time I would like to introduce my family starting with my mother, Juila Givens and her two sisters, I would like them to stand up, my aunt Dee Flaherty and aunt Margaret Flaherty, please. See Tommy Flaherty was up here a little bit earlier but we've got something in common.

I would also like to introduce my lovely wife, Ethel. And I know for many of you who have been on the campaign trail with me, you have always seen my dear wife Ethel right beside me all the time. You talk about inspration, etc., well, Ethel and I have been a team for over some 26 years. In the military she let me go on many haz-

ardous missions that I had to go to, voluntary missions, ones that I did not have to go if I did not want to, and even with the eight children all behind. Many times I thought, as I swore in today, the oath that I had taken for my country and that of my state and that of the City of Pittsburgh has great emphasis to me, because many of the men that I had served with in my military career cannot be here. In fact over 70% of one of the outfits that I was in, all of the men are dead. And for those people, I tip my hat at this particular time and I pray for them and I hope that we all will keep them in mind.

Secondly, I would like to introduce my mother-in-law, Mary Coleman and John Coleman who could not be here.

Someone always has to have a little financial help in the campaign and ol' Ma Coleman was right there behind me all the way.

Also, to get into my children, because you know, what Mayor Caliguri indicated here earlier today about the Pittsburgh Steelers being the champions. That means something, and as the Pittsburgh Pirates so indicated, "fam-i-lee", family is what it is all about. If the family can stay together, if they can pray together, then we will stay together as a family, as a neighborhood and as members and people and citizens of the City of Pittsburgh. That, my people, is what makes the City of Pittsburgh. With that in mind, I will start with my oldest son who could not be here, George, who is working, my oldest daughter Charlene, who is in Memphis, Tennessee and I will go right down the line with Marlea, Marlea will you please stand up and remain standing please. My son John who is going to Duquesne University, Julia, going to Community College, Edward, going to Central Catholic and Richard, going to Peabody High School. I would like to say something special about Richard, it is his birthday today.

You know, I have a standing joke with my wife Ethel, I kept on going and going and finally after the eighth child, she finally

named one after me, Richard and then I stopped.

Thinking of my own family I have my brother Marty in front of me, Marty. And with Marty there were eight boys within the Givens family. Two of them have passed away and we keep them fondly in our memories along with my father, Barney Givens who worked many dedicated years for the City of Pittsburgh as a building inspector and I know if he were here today, he would be very proud, as I was very proud of him as I grew up, he was a great image to me, as my father, he is a great ballplayer, and I pursue those particular entities.

There are some great friends that I have out there and without these types of people, one cannot go on in political life. When you are down and it looks bad, then there are people like Puddy Sell out there. Puddy, where are you, please stand up.

And the people who were behind the scenes always, such as Ricky Infante over here, John Mascio who is now on the staff, and Mike Gallagher in the back end, I thank you very much, because without them we could not go forward.

I'll be very brief right now, four years ago I stood at this same podium, and the thing that I mentioned that was foremost in my mind, because of what is going on in the City of Pittsburgh, if one can go back four years, I so indicated that it was my pledge to bring the City of Pittsburgh together, that is all the corporate, the business, the industrial as well as the governmental units of the City of Pittsburgh, and I have seen it, in those four years, that it has come together. The Committee that I chaired, the Planning, Housing and Development Committee, I think has done wonders. When one thinks of some 3-1/2 Billion will be invested into the City of Pittsburgh within the coming three years, I think it is a tribute to the Mayor of the City, to all of the groups that I had mentioned, and to the Council of the City of Pittsburgh.

Thirdly, going into my next four years, my

second term, one thing that I hold deeply and I have just touched on it very shortly, and that is the family. Again, I am going to try one thing within the neighborhoods and that is to help all of the families of our community to work together, to play together and pray together. Without those three ingredients, we will never go anyplace. So for the next four years, I dedicate that to you people out here today, and to my fellow colleagues to work together to that end. Thank you very much.

#### **The Chair:**

The next elected member, one who was re-elected and probably nobody loves me more dearly in this world, Michelle Madoff.

#### **Michelle Madoff:**

Mr. Mayor, Monsignor, honored guests, I want to start off by saying, while I wouldn't vote for "Jeep", it doesn't mean I don't love him. And I would hope that as people of good faith, who must put the public before any personal fighting in Council, that "Jeep" and I will attempt to work in greater harmony in the coming year. I would hope that we would start to address the issue that the Mayor put his finger squarely in the middle of, if I may use that term, and that is if we work independently nothing happens, we must work together. And that means that next year when we get to the budget, we won't find ourselves working a few days before frantically to cut the budget, to look for alternative sources revenue, but we will start in February—give you the month of January to take a vacation.

It is obvious today that I would not win a popularity contest amongst my colleagues, but somebody out there liked me, I did get elected. And my responsibility is not to the esteemed eight members that I sit with, but to the public, the constituency that elected me, and I hope to honor that commitment.

I don't want to make this a very long, drawn out speech, but I would like to take

the opportunity to thank those who worked the closest with me and who made my getting elected really possible. You know, you never do anything alone, nothing happens by itself and I think "Jeep" would agree with that.

I would ask that Claire Stauffer please rise, Claire Pomeran Stauffer, she has three names, she is three times as good. I would ask that Judy Lebowitz who really started to launch me on this whole campaign, please stand up. Pat Moore who works with me in the office everyday, and always wonders why I am taking on ninety more projects than I need to, Pat. I'm trying to make sure I don't forget anybody. I know Phyllis Silverman is here in the audience, she wrote thousands of envelopes, Phyllis. John Robinson, I see that you are here, Reginald Plato, we could go on and on, I don't want to miss anybody, I hope that I haven't and I do want to make a point of saying that the person who gets the backlash from my activities, who really has the hardest burden to bear, Doc Madoff.

This is probably going to be my shortest speech, I would like to close by saying I would like to welcome the two new members of Council, Tom Flaherty and Jim O'Malley and if I may use a pun, we hope you will let a little sunshine into Council. Thank you and bless everybody.

#### **The Chair:**

Thank you Michelle. The next gentleman I would like to call upon to speak, and it probably gives me greater pleasure, with no lack of respect to my other colleagues, to introduce this young gentleman, because campaigning with him, I really believe he overcame more adversities than any of us, The Press especially took a lot of unfair and unwarranted swipes at him and they really kicked him openly when he was down, but this gentleman overcame all obstacles and he got himself endorsed by the great Democratic Party here in the City of Pittsburgh which is a tribute in itself, and then went out and campaigned very vigorously and he

won that election. It is my great honor and pleasure to ask Mr. Jim O'Malley to say a few words, Jim.

**Mr. O'Malley:**

Thank you "Jeep", that was very nice.

Monsignor Vanyo, Mayor Caliguiri, President of City Council, "Jeep" DePasquale, ladies and gentlemen of Council and my fellow citizens, today I have the honor of being sworn in as a member of City Council in the City of Pittsburgh. Like the rest of my colleagues, I would like to take a few minutes to thank some of the people who are closest to me. Without their help and their support this day would not have been possible.

I'd like to introduce my mother, Mary Anne O'Malley, Mom. I'd like to introduce my father who has been a City policeman for 33 years, Jim O'Malley, Sr. I recently got engaged over the Christmas holidays and my fiancée is here, Cassy Granger.

When they talk about family, I'm just going to ask all of my uncles and aunts and cousins to stand up, will you please stand, because we'll be here all day. That's just about ten percent of them, the rest of them had to work.

In the past, Pittsburgh has been known as the gateway to the west, and in the eighties Pittsburgh shall become known as the hallmark of the nation by obtaining new levels of economic, social and community development, and as we enter the decade of the eighties, we have many new roads to follow. Three of these roads that I would like the City to follow are openness and candor of all elected officials. More involvement by communities in the decisions that directly affect their community, and finally, a stronger and a healthier small business base.

In order to achieve this all City officials must work together in harmony. With the community groups, for only the people who live in the communities know what their problems and priorities are.

Also, we must strive to encourage small businesses to remain in Pittsburgh and to help them realize their value to our City's individuality.

However, I cannot walk this road alone, nor can any other elected official. There must be a partnership between elected officials and the citizens. A partnership that is equal and binding. A partnership that does not stifle growth. A partnership that inspires progress. A marriage entered into openly and candidly by all parties. So therefore, over the next four years I am looking forward to working with my partners, all the elected officials and all the citizens of this great City.

Thank you very much.

**The Chair:**

Now we know how you got elected Jim—you have more relations than the rest of us. Seriously, I have my share of my own.

I see over in the left hand corner, he must have come in just a short time ago, my own Ward Chairman, Mr. Fred Finello, Freddy.

Ladies and gentlemen, this happens to be the third time that I am addressing you as an elected Councilperson and I want to make it as short and as sweet as possible. I just want to say I believe this is probably the first time since I've been on City Council that we will have the cooperation of the Mayor and the County Commissioners and hopefully City Council and together the three bodies will get something accomplished in the City and County of Allegheny. I guarantee you that.

You know, I come from the Panther Hollow section in the City of Pittsburgh and the point of elevation is probably the lowest in the City of Pittsburgh, you can't go any lower. So, when you come from Panther Hollow you've got to go one way and that is up, you can't go any further down. Obviously anything I did would be an improvement. The thing I did was move up

to Bouquet Street and everybody said, "Boy that was a great improvement". Then I was elected the President of a Local, I'm proud to say the Local I serve is Three Rivers Stadium and formerly Forbes Field and it is a great honor and tribute to be the head of that local. I've always said, and I reiterate again, that whenever those duties interfered with my City Council duties, I would resign from the local union, fortunately they never have and I don't think anyone can show where they have.

I believe I've carried my own throughout the first eight years and I will endeavor to do my ultimate or best in the next four years, I believe that I will succeed, I certainly hope so and I will need your help to do that.

I just want to say again, thanks to my colleagues for electing me, it is a privilege and honor to be the President of this body, you don't know how often when I stood by myself, a lot of people say I don't show sentiment and I'm not the kind to cry in public or to cheer in public, but when I am by myself, I have my moments and I consider this one of the greatest honors in the whole country, to be the President of this body, believe me.

Without further adieu I will introduce my family members who are here today, I will ask them to take a bow and then we will go into the matter of Committees and the motion by Mr. Stone to adopt the rules of Council and the Benediction by a very good friend, the Reverend Loran Mann.

Obviously, when a person runs for office or in any endeavor in life, their mate, in my case, my wife, is most valuable, and is invaluable, so without further adieu I would like my wife Josephine to stand and take a bow please, Josephine. My two brothers Alfred and Robert, Al's lovely wife Angela, they are sisters incidentally, my brother's and my wife.

I believe all of my children are here, I know my daughter is here and incidentally my daughter is number one, she has to be,

she married a fellow named Hertz, Carl Hertz, stand and take a bow please. On her lap is her lovely daughter Angela, my granddaughter and their son Chris is sitting over there also. My son Eugene, who I believe is a classmate of one of Dick Givens' children at Central Catholic. My son Mark in the rear, also a classmate of one of Mr. Givens' children. My son Alfred who is not here, his wife Josephine and their son Anthony. My niece Linda Oswald.

I see in the audience a person who I consider very invaluable in my campaign, nobody worked any harder or raised any more funds for me. That is my very good friend we call him the "pearlmist" of Pittsburgh, he holds more parties for people than anyone in this City, Mr. Guy DeLuca.

That about wraps it up, I kiddingly said Jim O'Malley had a lot of relations, if all of mind showed up we'd have had to hold this thing in Three Rivers Stadium—uncles, aunts and cousins, what have you. So that's about it, again, thanks to all of you, on behalf of all my colleagues, for coming here today and sharing his moment with us. Thank you very much.

Oh, I see he is trying to sneak out in the hall, my very good friend, the Warden of Allegheny County Jail, Jim Jennings. That is a gentleman we don't want to see too much of, at least not over there.

At this time I would like to get into the matter of Committees and on to the Chairmen and the Benediction.

Again, it gives me great pleasure to appoint as the Finance Chairman, a fellow I think has been the greatest and the best Finance Chairman in the history of this City of Pittsburgh, and his great record proves that. I've never met a more tireless and hard-working fellow, he is a tribute to all of this Council, all of the City of Pittsburgh, for the great work he has done, especially on our budget, Robert Rade Stone.

After watching that new program about

the Pittsburgh steelworker's family who happened to be of Serbian descent, which Mr. Stone also is, we are going to call him "Skag".

The Committee on Public Works, what can I say about this gentleman, he is one of the most popular, if not the most popular in the City of Pittsburgh, and even in the County of Allegheny, he is going to go a great way and he is just beginning, that is the Chairman and he is going to remain on the Public Works Committee, Mr. William Coyne.

The Committee on Planning, Housing & Development, Mr. William Russell Robinson.

The Committee on Supplies, Richard Givens.

The Committee on Water, she has done such a good job with it, she wishes to remain there, Michelle Madoff.

The Committee on Parks and Recreation, Mrs. Sophie Masloff.

The Committee on Public Safety, and this gentleman happens to have his dad on the police force, I'm sure you saw him this morning, Mr. Jim O'Mally.

The Committee on Lands and Buildings, Tom Flaherty, and as Tom has told you earlier, he will head the sub-committee on Urban, State and Federal Relations and it gives me great pleasure to do that because Tom did make that a campaign pledge and I'm glad I had the opportunity to help him carry that pledge out.

That concludes the Committees, other than those that I serve on as required by law, the Committee on Hearings, and the Library.

Also, the appointment of Council members to the Board of Trustees of Carnegie Library, they are Mr. Dick Givens, William Russell Robinson, Tom Flaherty and serving by grace of this office, myself.

One member to the Board of Trustees of

the Buhl Planetarium, she has done a tremendous job overthere as she has with Cable TV, and incidentally, that should be a reality before the month is up and I want you to know that it started with Amy Ballinger, the former Councilwoman who did a terrific job, but believe you me, that gavel was picked up by Sophie Masloff and it is through her great efforts and her great efforts almost alone, that by the end of this month, Pittsburgh is finally going to see a reality with the long awaited Cable TV that we deserve so much. Sophie. Masloff.

Mr. Stone if you please.

**Mr. Stone:**

Mr. President if I may, I move that the rules of the preceding Council be adopted as the rules of this Council.

Mr. Robinson seconded the motion.

Which motion prevailed.

**The Chair:**

At this time it is a great honor and a great pleasure we know him as the newscaster, one of the finest in all of the City of Pittsburgh you have all seen him on the air many times. He covers Council and covers it well and I like to consider him not only as a newsperson but as a personal friend and I think he thinks very well of all of City Council and I know he has been very fair to all of this Council. It is a great pleasure to ask our good friend Reverend Loran Mann of the Pentecostal Temple Church of God in Christ to offer Benediction.

**Reverend Mann:**

Let us pray, oh God our help in ages past, our hope of years to come, our shelter from the stormy blast and our eternal home. A thousand ages in Thy sight or as an evening gone, short as the watch that ends the night before the rising sun. We thank you for this occasion during which we have witnessed and shared the joy of the installa-

tion of these public servants. We pray for them as they begin a new segment of their public service careers, that their deeds and actions will not only reflect the will of the people, but most of all that they will demonstrate Thy purpose and Thy will.

Remind us that You said that if in all of our ways we would acknowledge You, that You would direct our paths and that those who would be the greatest among us must serve us.

We ask Thy grace and Thy direction for this entire Council and Administration and all of our public officials during the years to come. We ask, dear God, as they direct the affairs of the City of Pittsburgh and government of this area, that You would grant them the serenity to accept the things that they cannot change, may they with courage and fortitude change the things that they can and give them the wisdom to know the difference.

We ask these blessings in the name of

the Father and of the Son and of the Holy Ghost, amen.

**The Chair:**

Thank you very much Reverend Mann.

We also certainly want to thank Monsignor Vanyo from St. Paul's Cathedral, which I am happy to say is my parish, for offering the invocation. It has been very nice of Monsignor Vanyo and Reverend Loran Mann to share this day with us.

There is no further business before this body and I know you want to congratulate your newly elected Councilpersons. I would ask them if they would stand at the front of the hall and those of you who wish, I know most of you will, can come up and congratulate them and shake their hands. Ladies and Gentlemen, thank you.

And on motion of Mr. Stone

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, January 14, 1980

No. 2

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE .... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY... Ass't. City Clerk

Pittsburgh, Pa.  
Monday, January 14, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres'a)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 6 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain tie backs, underpinnings and wall

structures encroaching on and under a portion of South Highland Avenue in the 7th Ward, City of Pittsburgh.

Also,

No. 7 Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct, maintain and use bridge structures over a portion of Fifth Avenue in the 12th and 14th Wards of the City of Pittsburgh.

Also,

No. 8 Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain wall structures encroaching on and under a portion of Baum Boulevard in the 8th Ward, City of Pittsburgh.

Also,

No. 9 Resolution granting the Port Authority of Allegheny County its successors and assigns the license and privilege to construct, maintain, and use bridge structures over and under portions of North Dallas Avenue the Susquehanna Street in the 12th Ward of the City of Pittsburgh.

Also,

No. 10 Resolution providing for an agreement or agreements with the Commonwealth of Pennsylvania, Department of Environmental Resources, in connection with drilling tests in the 19th Ward.

Also,

No. 11 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting interim approval of payment of \$1,068.00 to Robert K. Murray Auto Body Shop for repair of moveable bucket on City owned Bridge Snooper, to be payable from Bond Fund 229-113, Capital Construction Division, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 12 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$3,900.00 for renovations at Homewood and Lawrenceville branches, without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 13 Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of a new No. 42 Engine Station, Chestnut Street and providing for the payment of the cost thereof.

Also,

No. 14 Resolution amending Resolution No. 248, effective March 14, 1979, entitled: "A Resolution providing for an Agreement or Agreements for design work and a contract or contracts in connection with the construction of the Sheraden Library/Community Building and providing for the payment of the cost thereof" by increasing the amount of funds.

Also,

No. 15 Resolution providing for the

filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 16 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended.

Also,

No. 17 Resolution repealing Res. No. 714, app. 6/19/79 for the sale of property, 13th Ward Monticello Street, Block 174-G-34 to Geraldine Boswell for \$250.00 as City cannot give a marketable title as property was acquired from wrong registered owner. Hand money of \$100.00 to be returned to Geraldine Boswell from the Dept. of Lands and Buildings.

Also,

No. 18 Resolution repealing Res. No. 981, app. 11/1/79 for property in the 13th Ward on Athens Street to Alvin J. & Henrietta Owens for the sum of \$250.00. The wrong parcel was identified for purchase. Hand money in the amount of \$100.00 to be returned to Alvin J. & Henrietta Owens by the Dept. of Lands and Buildings.

Also,

No. 19 Resolution repealing Res. No. 792, app. 7/5/78 for the sale of property in the 19th Ward in the rr. of Tonopah St. to Samuel A. & Theresa H. Bianchi for the sum of \$200.00, for reason the City cannot give marketable title as it was acquired from wrong reg. owner H/M of \$100.00 to be returned to purchaser.

Also,

No. 20 Resolution repealing Res. No. 510, app. 6/10/77 for the sale of property in the 17th Ward on Jane St. Block 12-K.

Lot 242, to Louis F. Marshall for \$1,000.00, for reason purchaser did not comply with agreement of sale. Hand money of \$100.00 to be forfeited.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 21 Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$18,555.33 for emergency repair work to City vehicles furnished without previous authority of law.

Also,

No. 22 Resolution providing for the issuance of a warrant in favor of Pisani Brothers, Inc. in the amount of \$477.00 for emergency repair work to City vehicles furnished without previous authority of law.

Also,

No. 23 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc. in the amount of \$2,225.00 for emergency repair work furnished to City vehicles without previous authority of law.

Also,

No. 24 Resolution providing for the issuance of a warrant in favor of Pak-Mor Manufacturing Company in the amount of \$558.35 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies, without previous authority of law.

Also,

No. 25 Resolution providing for the issuance of a warrant in favor of Hydra-Tech, Inc. in the amount of \$787.55 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies, without previous authority of law.

Also,

No. 26 Resolution providing for the issuance of a warrant in favor of Arnold Graphic Industries, Inc. for the emergency purchase of continuous tax forms furnished to City Information Systems, without previous authority of law.

Also,

No. 27 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$2,307.00 for the emergency purchase of #2 Heating Oil, and for the payment thereof.

Also,

No. 28 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$13,878.20 for emergency repair work to City vehicles furnished without previous authority of law.

Also,

No. 29 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$13,693.23 for emergency repairs to City vehicles without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Also,

No. 30 Resolution amending Res. No. 997 approved Nov. 9, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing, delivery and complete installation of approximately 300 square yards of carpet for the Department of Lands and Buildings, and for the payment thereof", by increasing the amount from \$4,200.00 to \$5,368.00.

Also,

No. 31 Communication from Lawrence Yatch, Director, Department of Supplies, requesting interim approval of pay-

ment of \$5,153.07 to Boron Oil Company for emergency purchase of #2 Heating Oil for Pittsburgh Zoo to be payable from Code Account 1854, Coal and Oil, Zoological Park Commission.

Also,

No. 32 Communication from Lawrence Yatch, Director, Department of Supplies requesting interim approval of payment of \$575.84 to Allegheny Ford Truck Sales, Inc., for emergency repair work to be payable from Code Account 1150, Outside Repairs, Contract, Department of Supplies.

Also,

No. 33. Communication from Lawrence Yatch, Director, Department of Supplies requesting interim approval of payment of \$6,480.07 to Foss Ford, Inc. for emergency repairs to City vehicles to be payable from Code Account 1150, Outside Repairs, Contract, Department of Supplies.

Also,

No. 34. Communication from Lawrence Yatch, Director, Dept. of Supplies, requesting interim approval of payment of \$11,144.35 to General Motors Corp. for emergency repairs, to be payable from Code Account 150, Outside Repairs, Contract, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 on all of his bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed,

Also,

No. 35 Resolution providing for the letting of a contract or contracts for the

furnishing and delivery of general office equipment (file cabinets, desk trays, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 36 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of filter holders for the Dept. of Water, and for the payment thereof.

Also,

No. 37 Resolution amending Res. No. 844, approved Sept. 26, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of a screen printing press for the Painting Division of the Department of Public Works, and for the payment thereof", by increasing the amount from \$5,880.00 to \$5,950.00.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff, presented

No. 38 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, NJ 07960 in the amount of \$46,205.35 in payment for installation of a 48" valve on Ellsworth Avenue and providing for the payment thereof.

Also,

No. 39 Resolution providing for the issuance of a warrant in favor of W. W. Williams Company, 600 Greentree Road, Pittsburgh, PA, 15220, in the amount of \$648.94 in payment for the repair of two air compressors and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 40 An Ordinance amending the

Pittsburgh Code, TITLE FIVE, WATER, ARTICLE III--WATER DISTRIBUTION, Chapter 317, Waste of Water, Section 317.01, Owner Maintenance of Private Water Service Line, by making property owners responsible for water service and fire lines in excess of two inches in diameter.

Also,

No. 41 Resolution amending Res. No. 1350 app. December 30, 1977, amended by Res. No. 1084, approved Oct. 2, 1978, amended by Res. No. 563, approved June 21, 1979, entitled "Resolution adopting the 1978 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by decreasing appropriations for Capital Budget Projects WD-78-5 "Advance Purchase of Valves, Hydrants, Pipes, Risers and other Appurtenances" and WD-78-10 "Relay Water Lines--Shaler Street and establishing a new line item, WD-78-11, "Installation 48" valve Ellsworth Avenue.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 42 Resolution authorizing the issuance of a warrant in favor of Meyers Plumbing and Heating Company, in the amount of \$414.50 in payment for work performed at Troy Hill Senior Citizen's Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 43 Resolution providing for an agreement for a Cable Television Franchise in the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

Also,

No. 44 Resolution authorizing and directing the City Treasurer on behalf of the City of Pittsburgh, to accept funds from the Commonwealth of Pennsylvania, Dept. of Environmental Resources (DER) for the City's Young Adult Conservation Corps Project, and to create a Young Adult Conservation Corps Project Fund, and to deposit all funds for said program in Pittsburgh National Bank, STF #2, and providing for the payment of expenses in connection with the Young Adult Conservation Corps Project.

Also,

No. 45 Communication from Louise Brown, Director, Dept. of Parks and Recreation requesting permission to attend National Conference on Urban Recreation, San Antonio, TX, February 3-5, 1980 at a cost not to exceed \$280.00, payable from Code Account 1801, Misc. Services, Dept. of Parks and Recreation. Air fare to be paid by National League of Cities.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 46 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 47 Resolution providing for accepting a grant from The Sears-Roebuck Foundation in the amount of \$2,994.00 for operation of "Officer Friendly Program" to be conducted by the Community Relations Section of the Department of Police; pro-

viding for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson** presented

No. 48 Resolution authorizing issuance of a warrant in the amount of \$2,240.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of a 2 story Frame Dwelling located at 3438 Frazier Street, Ward 4, without previous authority of law, and providing for the payment thereof.

Also,

No. 49 Resolution authorizing issuance of a warrant in the amount of \$2,420.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of a 3 story Frame Dwelling located at 126 Virginia Avenue, Ward 19, without previous authority of law, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 50 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, by adding Chapter 266, EXEMPTIONS FOR INDUSTRIAL AND COMMERCIAL IMPROVEMENTS AND CONSTRUCTION by providing for temporary exemption from taxation during improvements to deteriorated industrial and commercial property, including construction, in certain deteriorated areas pursuant to Act 76 of 1977; and establishing terms, conditions, and procedures for such exemptions.

Also,

No. 51 An Ordinance amending the

Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing:

a) from "R2" Two-Family Residence District and "M3" Light Industrial District to "M2" Limited Industrial District all that certain property bounded by: McCarteny Street; the westerly property boundary of Block 19-S, Lot No. 184 in the Allegheny County Block & Lot System; Kearns Avenue; the northerly property boundary of Block 19-R, Lot No. 69 in the aforementioned system; the "S" Special District boundary line located between McCarteny Street and Kearns Avenue and Block 19-R, Lot No. 42 in the Allegheny County Block & Lot System, 20th Ward.

Also,

No. 52 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 & 12, by changing from "R2" Two-Family Residence District to "R4" Multiple Family Residence District all that certain property bounded by: Ellsworth Avenue; Block 51-S, Lot 344 in the Allegheny County Block and Lot System; Tara Way; Telephone Way; Block 52-D, Lot 118 in the aforesaid System and South Aiken Avenue, 7th Ward, Block 52-D, Lot 118 in the aforesaid System and South Aiken Avenue, 7th Ward.

Also,

No. 53 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing from "R4" Multiple-Family Residence District and "IC" Institutional-Civic District to "CP" Planned Commercial Unit Development District all that certain property bounded by: Terrace Street, the northeasterly boundary line of Block 28-A, Lot 191 in the Allegheny County Block and Lot System and said line projected in a northwesterly direction; a line located 295 feet northwest of and parallel to Terrace Street and Darrah Street, 4th Ward.

Also,

No. 54. Resolution approving a Conditional Use under Section 993.01 (a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Francis Plaza, Inc. for construction of an 11-story building to house 100 units of housing for the elderly with medical offices and offices for the Hospital Information System on property zoned "R4" Multiple-Family Residence District having 256 feet of frontage on the easterly side of 4th Street between Calvin Street and Sherrod Street, 9th Ward.

Also,

No. 55 Resolution approving a Conditional Use under Section 993.01 (a)A20 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authoriation to Tolatr Academy to use the existing activity building of the St. James A.M.E. Church located on the southwest corner of Lincoln Avenue and Meadow Street, on property identified as Block 125-B, Lots numberd 244 and 246 in the Allegheny County Block and Lot System and zoned "R4" Multiple-Family Residence District for a Private Elementary School for purposes of Pre-School through the Eighth Grade, 12th Ward.

Also,

No. 56 Resolution approving the entering into an agreement by and between Urban Redevelopment Authority of Pittsburgh and Arch Lhormer and Lhormer Real Estate Agency, Inc. in which Urban Redevelopment Authority of Pittsburgh provides the difference between the Market Value and the certified development cost for housing to be constructed in the 13th Ward of the City of Pittsburgh.

Also,

No. 57 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and The Bell Telephone Company of Pennsylvania for the sale of

Parcel D-2 in the 12th Ward of the City of Pittsburgh.

Also,

No. 58 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and the First Church of God and Saints of Christ for the sale of Block 10K Lots 303 and 304 in the 5th Ward of the City of Pittsburgh.

Also,

No. 59 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and James J. Robinson for the sale of Parcel 218 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 60 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Paramount Glass Company for the sale of Parcels 58 and 61 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 61 Communication from the Historic Review Commission requesting that Council approve the issuance of a Certificate of Appropriateness for exterior alterations at 1110-1112 Palo Alto St., in the Mexican War Street Historic District, 22nd Ward and 214 Fifth Avenue, in the Market Square Historic District, 2nd Ward; in accordance with Ordinance No. 20 of 1979.

Also,

No. 62 Communication from Ed deLuca, Director, Dept. of City Development, requesting permission to attend EDA Conference on 302 Economic Development Planning Grants, Phila., PA, January 15, 1980, cost not to exceed \$175.00, payable

from Code Account 1900-1, Misc., Services, Supplies, Materials, Repair and Equipment, Department of City Development.

Also,

No. 63 Communication from Paul Brophy, Director, Department of Housing requesting reimbursement of \$150.00 to Rachel Meyers, Housing Development Specialist, for attendance at briefing on new NSA opportunities, Washington, DC, Dec. 13, 1979, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration.

Also,

No. 64 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for himself and David Toal to attend HUD meeting to discuss Area wide Housing Opportunity Plan, Washington, DC, January 4, 1980, at a cost not to exceed \$325.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 65 An Ordinance supplementing the Pittsburgh Code Title One, Administrative Article XI, Personal Chapter 191, Retirement and Severance Pay, by adding Section 191.07 MUNICIPAL PENSION FUND: MILITARY BUY-BACK.

Also,

No. 66 An Ordinance amending the Pittsburgh Code Title One, Administrative, Article XI, Chapter 181, Section 181.05 by increasing the out of town daily meal allowance to \$30.00 or the amount specified through collective bargaining; and Section 181.06 by changing the rate of reimbursement for employees who use their personal automobiles.

Also,

No. 67 Resolution providing for a contract or contracts with Vision Service Plan of Pennsylvania for a vision care benefit for employees covered by collective bargaining agreements providing for the same and for all employees not covered by collective bargaining agreements providing for the same and for all employees not covered by collective bargaining agreements.

Also,

No. 68 Resolution amending Resolution No. 1231 of 1979 ("The 1980 Salary Resolution") by deleting certain pages and replacing them with new pages reflecting 1980 salary rates and collective bargaining agreements.

Also,

No. 69 Resolution authorizing the issuance of a warrant in favor of Jamar Park Business Forms in the amount of \$1,095.00 for extra work furnished for the benefit of the City in connection with the production and binding of the 1978 Municipal Record, without previous authority of law, and providing for the payment thereof.

Also,

No. 70 Resolution providing for the issuance of a warrant to Baskin and Sears, as Attorneys for Thelma Morris and the class she represents, in the amount of \$22,500.00 in full settlement of a sex discrimination claim of Thelma Morris on her behalf and on behalf of all other women employed in the Bureau of Operating Maintenance, Department of Lands and Buildings.

Also,

No. 71 Resolution providing for the issuance of a warrant to Josephine Mitesser in the amount of \$7,500.00 as the City's share in the settlement of her claim for personal injury, and providing for the payment thereof.



Also,

No. 72 Resolution providing for the issuance of a warrant to Mary C. Scocco in the amount of \$2,692.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 73 Resolution authorizing the Mayor and/or City Treasurer to request proposals and enter into contract for the management land operation of the City's workers compensation system by a professional claims adjustment and/or insurance company.

Also,

No. 74 Resolution authorizing the Mayor and/or City Treasurer to establish a "Workers Compensation Reserve Trust" with a City Depository in accordance with the licensing requirement of the State Department of Labor and Industry.

Also,

No. 75 Resolution providing for an agreement or agreements with Psychological Service of Pittsburgh for Professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations.

Also,

No. 76 Resolution providing for an agreement or agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion.

Also,

No. 77 Resolution providing for an

agreement or agreements with Council House, Inc., Greater Pittsburgh Camp Fire Girls, and The Program for Female Offenders, Inc. for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also,

No. 78 Communication from John E. McGrady, City Controller requesting permission for Raymond E. Johnson, Deputy City Controller to attend 1980 Annual Conference of Municipal Finance Officers Association, Phoenix, Arizona from May 11 through 15, 1980, cost not to exceed \$1,000.00, chargeable to and payable from Code Account 1048, Miscellaneous Services.

Also,

No. 79 Communication from Richard Caliguiri, Mayor, requesting permission for Kenneth Fields to attend annual meeting of National Public Employer Labor Relations Assoc., San Diego, CA, March 2-7, 1980, at a cost not to exceed \$950.00, payable from Code Account 1017, Misc. Services, Mayor's Office.

Also,

No. 80 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission requesting amendment of Council Bill No. 4454 authorizing Barbara Howell and Tyra Townsend of CETA administrative staff to attend training session for Prime Sponsors staff, Alexandria, VA, Jan. 16-18, 1980, by increasing authorized amount from \$500.00 to \$650.00, payable from CETA Trust Fund, federal funds.

Also,

No. 81 Communication from John E. McGrady, City Controller submitting performance audit of the City's procurement activities and related systems, as prepared by auditor's from the City Controller's Office.

Also,

No. 82 Communication from David L. Donahue, Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of November 30, 1979.

Also,

No. 83 Communication from Richard S. Caliguiri, submitting the collective bargaining agreement between the City of Pittsburgh and Pittsburgh Joint Collective Bargaining Committee representing blue collar employees.

Also,

No. 84 Communication from Mayor Caliguiri, submitting the arbitration award between the City of Pittsburgh and the Fraternal Order of Police, Fort Pitt Lodge No. 1.

Also,

No. 85 Communication from Charles W. Strong, Ex. Director Public Auditorium Authority of Pittsburgh and Allegheny County submitting the names, positions and salaries of all persons employed by the Authority as of December 1, 1979, in accordance with the provisions of Act 339.

Also,

No. 86 Communication from Daniel A. Pietragallo, Ex. Director of the Housing Authority of the City of Pittsburgh submitting a list of Housing Authority employees as of December 31, 1979.

Which were severally read and referred to the Committee on Finance.

#### MOTIONS AND RESOLUTIONS

Mr. Robinson presented

No. 87 WHEREAS, the Reverend Martin Luther King, Jr. dedicated his life and endeavors to the achievement of a just

and healthy society and the enhancement of respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

WHEREAS, his outstanding contributions included the Nobel Peace Prize and other forms of international recognition; and

WHEREAS, January 15 is the birthdate of this great American and is celebrated throughout the United States of America; and

WHEREAS, celebrations are held in schools, churches and community centers; and

WHEREAS, the Commonwealth of Pennsylvania has designated January 15 as a State holiday; and

WHEREAS, the United States Congress has been petitioned to designate January 15 as a National legal holiday,

#### NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the residents of the City of Pittsburgh do honor and recognize the birthdate of the Reverend Martin Luther King, Jr. and encourage the Congress of the United States to designate January 15 as a National legal holiday.

Which was read.

Mr. Robinson moved for approval.

Mr. Coyne seconded the motion.

Which motion prevailed,

The Chair:

Mr. Robinson, I would like to say that I agree wholeheartedly and I imagine you all do, through the action taken by the Governor of the State of Pennsylvania, declaring January 15, Martin Luther King's birthday as a State holiday.

I've inquired from the City Controller and the Law Department as to Council's role, if we could declare this a holiday for staff, and I am told no, we cannot do it except by Ordinance. I then took the liberty of asking Mr. Perry to tell all of the employees, those who have pass days coming, if they wish to take tomorrow off and have a pass day charged against them, they are more than welcome. Obviously we will have a skeleton crew to run the office. I just thought I should make you aware of those actions so that when you see most of the employees off tomorrow, you will know, they are taking a pass day if they do take off. Hopefully next year we can have it in Ordinance form and make it a yearly holiday, just such as the State has declared.

**Michelle Madoff:**

I think that is a very commendable action and I think that Council should move quickly to support that on a permanent basis.

I have two items that I would like to bring to the attention of Council.

Almost everybody was at the meeting with the Mayor this morning, we had seven people, we had more than a quorum. At the end of the meeting, I asked Mr. Steve George of URA about the story that appeared in the paper, and I have had some dialogue with Mr. Dempsey and with the new Vice President of PPG, what the status of the negotiations were, and with the number of people in attendance, he said very clearly to the Mayor and to all of us and the Mayor essentially substantiated the statement, that the monies that the Market Square people who are being re-located would receive for their old buildings, would help greatly to compensate for the \$100,000 mortgages . . . the carpet company is \$86,000, some are a little over \$100,000, but as Steve George said, the average would be \$100,000 mortgage.

I had spoken with Mr. Dempsey, I had spoken with Mr. Blair, and the argument I

used were the cost of negotiating, the cost of paying the attorneys, the negotiators, the delay involved would more than—their own figures are something like \$4 Million a year. We are talking about perhaps just a little over a half of a million dollars to be equitable and fair.

Mr. Reggie Wilson, in all his negotiations with these people to be relocated, has used the term, "an apple for an apple", meaning, as Marty Kraus would say of East Street, "a house for a house or a business for a business". It is a little difficult, but if we could project it as our own families, if we had elderly, or not even elderly, if we had modest income families, who, my father was a tailor, if we had somebody in that suddenly being re-located and saddled with a \$100,000 mortgage, what would we as individuals, be saying in this Council? And I think, to a person, when we had the hearings of PPG, we all agreed that we would do whatever was fair and equitable, we all want PPG, we need PPG, we need the revenue from PPG, but there is a moral issue, a fairness issue and I cannot believe that Steve George sat there today in front of all of us and said they gave him a marvelous agreement, look at the new building they are going to get—that is irrelevant, they should not be saddled with \$100,000 mortgages. I have written a letter to Steve George which I distributed to Councilmembers and I have Mr. Dempsey's letter, you did not get a copy, Mr. DePasquale, you will get that immediately. I hope Councilmembers who are concerned would pursue the issue further.

**Mr. Coyne:**

Mr. President, I think in fairness, we ought to recall the meeting today where it was pointed out that there was an offer for the new facilities—a purchase of the new facilities, but that no offer had been yet made for the old facilities of the business people down there. I think that is consistent with what Mr. Dempsey says in this letter here, that that is what they are waiting for, for that offer to be made for the peoples' present properties.

**Michelle Madoff:**

That is not what he is saying because I spoke to him subsequently when I got his letter, as a matter of fact he had a figure there and he had me take it out and put the dots in. The fact of the matter, and I have spoken to Mr. Blair, is that their interpretation is that they will move them out of their present business and because they are giving them a beautiful new, shiny building, and because it won't have perhaps violations or what have you, that would equate—keeping them where they want to be that is what they are getting. And of course, they will move their old fixtures into the new facility if that is what they want or there may be some dollars to buy that up, but indeed they are still going to have an average of \$100,000 mortgage. Mr. Blair said so and Steve George said so on the news if you heard his interview and that is what Mr. Dempsey said as did the people in Market Square who did contact the news media directly themselves. There is no misunderstanding on that.

**Mr. Coyne:**

Well, I don't know how much their mortgage is going to be if here has been no offer made for their present sites.

**The Chair:**

That's what I can't understand, why would they put the cart before the horse and talk about a mortgage before they are even making an offer for the property, or concluded the deal, anyway.

**Michelle Madoff:**

Mr. DePasquale, Sir, my understanding, and I have spoken to people at great length and I would appreciate if you, as President, would follow through and make sure that I am not mistaken. I am not perfect and I could be mistaken, but I have checked it five times now. There have been firm negotiations made, they are now subject to renegotiation because the media has carried the story and they don't like that kind of

publicity. The fact remains, they are supposed to carry, I think, three-quarters of the burden. A small percentage, they are to carry themselves, as a mortgage.

**Mr. Coyne:**

Mr. President, I can only read from Mr. Dempsey's letter here where it says,

"never since this matter began, until your call, have I heard such a proposal, none of my clients have ever heard of such a proposal."

**Michelle Madoff:**

Well, that was in answer to my question, were you ever offered dollars that would equate. The statement that was made today by Steve George was that the dollars, the \$100,000 would be absorbed, in the fact that they would be giving them money for their business. Isn't that what he said? He said, "no, that is not true" or whatever he said here, if you want to choose, it is your right to interpret it that way, what he is saying is that it is absolutely a lie and erroneous and he is very offended and very upset.

**Mr. Stone:**

I have been told here by listening to this dialogue, that negotiations are still on. If they are still on, then I think we ought to let them continue without interfering and when they reach an impasse, at that time we then ought to look at it.

**Michelle Madoff:**

Mr. President, the reason I am bringing this matter to the attention of Council is because it had reached an impasse. I don't know if anybody else on Council was contacted, but I have already been contacted by the Market Square Inn where I did intervene and they did come to equitable agreement. I did not go public with that information, I don't know whether the word got around to call me or not, but I

then got a call from Mr. Ginsberg from the carpet people.

The agreements were firm, they had reached an impasse—if we do not at this point intervene, or if it had not hit the media, that is why the media is so important. If it didn't get out, that would have been the end of it. I am just cautioning this Council that we made a commitment to those people that we would do what we felt was fair and Mr. Stone, I think you negotiated with them and I think you agreed that they should be treated fairly. If you think that a \$100,000 mortgage is fair—

**Mr. Stone:**

There is only one way to participate in negotiations, the parties ought to negotiate without people trying to make political hay out of their problem.

**Michelle Madoff:**

That is an insult and you are being abusive as usual, I am not doing it for personal reasons if I were doing it for political personal reasons I would have done it on the Market Square Inn, you, sir, have a responsibility to those people, you are a member of this Council and they should not be saddled with a \$100,000 mortgage and the fact remains it was a final offer. They went on the air and said that is the best we can do, we are going to let the chips fall where they may, if we don't intervene now, that's what happens.

**The Chair:**

Michelle, your point is well taken, but I have to agree with Mr. Stone, until we are officially notified, I don't know how we could take a role—and I don't know why we weren't officially notified, I really don't understand, you mentioned something about not letting it out to the Press, eventually they are going to get it anyway, it just strikes me as to why it was more or less kept secret, as Mr. Coyne says, the letter

says one thing and you are saying something else. Until they officially say his is what has been offered and this is what we intend to do, I don't know what role we can play other than to be a meddler.

**Mr. Givens:**

Mr. President, I would just like to add one comment if I could, as late as this Friday, I had spoken to Dick Blair from PPG and also with Stephen George on the same concern as Michelle Madoff points out here, and being a member of that particular Board, I am being assured that the offers that are being made, some of them of which I have privileged information to, some which I do not, but I feel in my own estimation that things are going along very fine. Of some four people that were holding out, one of them has even come through down there the book store has made agreement with PPG Company. So far to date, the URA has not even had to use the right of eminent domain in order to take any land down there and this is the ideal situation. I think all of this we are agreeing to in Council previously that we wanted this to be done in negotiation between PPG and those people who own that property down there and apparently some of it will go to court. If we look at Renaissance I one can appreciate that when they went into that particular area that several of them went to court too. When I looked into the results of what those people received, and putting court costs etc., on to it, and attorneys fees, they come out about the same as what the people were offering back in Renaissance I.

**Michelle Madoff:**

Mr. DePasquale, if you will indulge me just a moment, if indeed, the information I received from both URA, Mr. Garrat, Steve George, Mr. Dempsey and Mr. Blair, were fact, that indeed, that was the end of the negotiations, had that been made public or that information passed on to us, then this would be after the fact. I'm hoping that before it gets to the point where they say, "this is it, that's our last offer", if it

is the will of Council that these people not be burdened with \$100,000 mortgages, then we have some impact. After the fact, as you say, if this goes to court, and the chips fall where they may, I think that is unfair. That is the reason I brought it here today.

**Mr. Givens:**

No, there is a personal choice that one must make if they are a businessperson and want to continue on with their business and enhance the environment that they are working under. If that requires them to go out and get additional mortgages, then that is a risk that any businessperson will take to be sure that the business is going to prosper in a particular area. I would assume that they are going to go out and get larger mortgages, that they are going to have a better environment to work under, they won't have the remodeling, the rehabilitation to come up to City codes, which all of us so diligently want the City of Pittsburgh landowners to do.

**The Chair:**

If I may interrupt for a second, Michelle—is there anyone else who has a motion or a resolution? Otherwise, the Chair is going to take the prerogative. Over the weekend, again, we saw newspaper articles in regards to Allegheny Steam Heating eventually going out of business. There was some talk, I believe in the morning paper, that Duquesne Light and some other companies assuming that responsibility. Duquesne Light I think even advanced \$12 Million or is willing to do so. Obviously the energy crunch is one of our most serious problems today. I talked with Michelle Madoff over the weekend, Michelle felt that we should form a committee and I told her that I would appoint her chairperson of that committee and she can name the committee members and it will be a sub-committee on energy and Michelle Madoff will be the chairperson of that Committee.

**Mr. Stone:**

I think there is a committee on that already.

**The Chair:**

Well, there is a committee to look into solid waste.

**Mr. Stone:**

Not on Allegheny Heating.

**Michelle Madoff:**

There is one, but there aren't any members of Council involved in it.

**The Chair:**

We're talking about a sub-committee on Council, Bob.

The other matter—I've been informed over the weekend, and I wasn't aware, that if a Cable TV franchise is not let by February 1 that it is all going to go back to the drawing board. I didn't realize that it was so close to the deadline. I thought that we were shooting for February 1, but I didn't know that that was the absolute deadline. To that respect, I took the liberty of getting in touch with all the Cable TV companies and asked if it were possible for us to see their facilities, whether they are here in the local area or if they are out of town. I have had a good response from all of them, they are all willing to cooperate and all feel that some day should be set aside that all of Council, all of those who can make it, would like to come, and I would hope everybody would, so that we could view their facilities and make a better evaluation as to which company will offer the best for our residents in regards to Cable TV. Wherever I go, that is all I hear is Cable TV and I'm almost sure that it is one of the most important issues here in the City of Pittsburgh today. We had a Trip scheduled tomorrow which was short notice I realize, but I have heard nothing more back from Allegheny Cable, so ap-

parently that trip must be off. If they haven't said anything by now, I guess we are just going to have to cancel. The other is Thursday and there is a trip slated for Columbus, Ohio to view the Warner Cable TV facilities and in the last week of January, hopefully, Teleprompter and ATC will line us up for a viewing of their facilities. I believe they are both located in New York and we can kill two birds with one stone.

**Mrs. Masloff:**

Excuse me, I want to point out that the Evaluation Committee in Council should judge a cable company by what they put in writing, what they have said in the proposal and what they say they are going to give us is what we should judge them on. Now, by viewing what they have in other cities is no indication that we are going to get that same thing in Pittsburgh. However, I agree that it doesn't hurt to go and look at them. The fact that they have something in Columbus or New York or someplace doesn't mean that that is what we are going to get in Pittsburgh. Hopefully, the Evaluation Committee in this Council will pick a company based on what they have said they are going to give us in the proposals and in writing. That is the basis on which—not what they say or what they show us, but what they put in writing in their proposals. Hopefully, that is what we would judge on.

**The Chair:**

I realize that Sophie, and I'm almost sure the rest of Council does, that there are several criteria such as rates and amount of channels available, things such as that, there will be several other reasons, other than just a view of the facilities—I just thought that we should have some first hand look at these firms, their operations. I think it may not determine as to which route we go, but at the same time, we will know something—a little more about Cable TV than we know now. Personally, the only thing I know about it is you turn the set on and when the picture comes on you are

watching it. I just think that we should have a little more knowledge and I don't think it is a bad idea.

**Mr. Flaherty:**

I was curious as to how these trips will be paid for Mr. President.

**The Chair:**

These trips will be paid for by the City of Pittsburgh, the air fare the hotel and the meals. The tab will be picked up by the City of Pittsburgh for any Councilperson who is willing to go. This is official City business and you are entitled to that. In fact we should have been doing more of this in the past, why we haven't I don't know. Too often we should be looking at facilities or into other matters and we don't for some reason or another, we just hesitate because its out of town.

**Mr. Stone:**

Mr. President, if I may, you alluded to the fact that there is a deadline. I think the first and primary thing is that we ought to stick by that deadline. Nothing, nothing, nothing can change that deadline. At the end of this month we award a contract. I would just like to say on behalf of myself, I have been asked individually to go here or there to meet with various officers and I will say publicly what I said to those who asked me to meet with them, I will not meet with any one of them individually. If I don't meet with one I will not meet with any of them and as far as I'm concerned, if there was any meeting they would be in front of one another so everybody can hear what the other one is saying to me. So, in view of that, I'll be out of the City on official business this week. I will be missing probably one, in view of my consistency I will meet with none of them.

**The Chair:**

That is your prerogative, sir.

**Michelle Madoff:**

I think it has been incumbent upon mem-

bers of Council and although we have been locked into—for all practical purposes—election until November 6th, and the budget which didn't end until practically the first of the year, which is why I had, as you recall, requested a 30 day extension, the companies could get a bond issue, get their bond extended for 30 days, because really, one month—and as you know, the requests for proposals came down in October, they were rejected and they came back within two weeks, so they didn't even come back really until almost the first of November. While I agree with Mr. Stone that we ought to get rid of it as quickly as possible and you, yourself Mr. DePasquale, you have said they waited long enough and I think everybody feels that way and I'm sure Sophie would like to get it over with once and for all. If we are really going to take the time to do some research, because time just wasn't available to many members of Council until the first of this year, I will tell you that for myself, I took the opportunity, when I did get a telegram from one of the companies to observe part of a type of cable operation on the Donahoe Show and I believe 20/20, I was very impressed with that, I have been in touch with Teleprompter and with the ATC operation out of New York on questions that I have. I have spoken to Brother Richard on numerous occasions about issues that concern me. One of them will come up tomorrow night before the Cable Commission which relates to equal access by all denominations. The dollars that are being contributed to the Christian Associates would go to the Baptists, to the Jews, to the Serbs and everyone as well as the Catholics and I think that is going to be worked out amicably.

I personally feel I have been doing a lot of homework and while it is the prerogative of members to say, "I'm not going to meet with anyone individually because I don't want to perhaps, be influenced or co-opted", my position as an environmentalist and dealing on various issues has always been to meet with everybody and then make your evaluation, and I have attempted to meet with everybody. I also feel that as

opposed to making the trip, which I think in essence, is a—I think they call it a "dog and pony show", have I got the right term? Each company has a presentation and they could bring it to us as opposed to the fares and the taxes and the dollars to the taxpayers. But again as Sophie pointed out, how do you compare TCI's local programming, which is 20 years old, to somebody who's got something brand new in Columbus? Its really not fair, maybe they have a more modern system somewhere else. So you can't compare apples and oranges—but I would disagree with Sophie, I would agree with her on that point but I disagree with her on one other point. When you choose somebody to do business with, you don't go just on what they put down in writing, because you have to go to the integrity of the company and how they have operated in the past and if you feel as individuals, you accept their operation. And that is going to greatly influence how I vote.

**Mrs. Masloff:**

The problem with that is having people come before us and say things, there is no way—this is what they say—I say we've got to go by what they put in writing and what they say they are going to give us and what their bonds provide for.

**Michelle Madoff:**

Well, I'm talking to the integrity of the management.

**Mr. Stone:**

She makes a valid point—they are making a bid and backing it up with a bond and Sophie is saying you can't dilute it with some comment afterwards and that is a very valid point. We'd better not lose sight of it. The whole bidding procedure—each one did it with a bid, each one knew some constraints or the general ground rules were there. They bid into those arrangements and got backed with a bond and that is what she is saying and I think we'd better not lose sight of it.



I just want to make one comment, I shouldn't do it but I'm going to say it. Its been stated here that I just want to get it over with. That is not so—I just want to give the citizens of the City of Pittsburgh what they have been denied too long. That's Cable TV.

**Michelle Madoff:**

Mr. DePasquale—point of clarification, Sophie and I were just chatting. When I said they could come in with a presenation, I was saying that only in lieu of making the trip. I don't think either are necessary. I think for those of us who have had the time or made the time to research the contract as it is written, backed up by a bond and look beyond that to the company making the proposal, I think many of us should be ready based on our own evaluations and what will come down from the Cable Advisory Board shortly to make a decision.

**The Chair:**

My only problem with all the companies coming in and laying it right on the table,

we are going to again have the Roman circus type thing that we have at some of these hearings and it just gets to a point where it is disgusting—I think we have talked the thing to death and nothing disturbed me more than the meeting last week which I did not attend where Sophie Masloff was accused of being anti-Jewish. And we all know Sophie is of the Jewish faith and when they went that far, I think we have talked enough now and we should start awarding franchises. Some of these people have come in just to hear themselves speak and make some asinine remarks that are absolutely terrible.

**Mr. Stome** moved to approve the minues of Monday, December 24, 1979 and Monday, December 31, 1979.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, January 21, 1980

No. 3

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, January 21, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 88 Resolution amending Res. No. 1127, approved December 14, 1979 effective December 21, 1979, entitled "Resolution providing for the transfer of the ag-

gregate sum of \$180,000.00 from various Code Accounts into Code Account 1612-4, Salt, Department of Public Works" by deleting Code Account 1420, Salaries and Wages, Regular Employees, Department of Emergency Medical Services \$30,000.00, and amending Resolution title.

Which was read and referred to the Committee on Finance.

Also,

No. 89 Resolution amending Res. No. 1218, effective December 31, 1979, entitled "A Resolution providing for a Contract or Contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing PW 79-05 by \$100,000.00.

Also,

No. 90 Resolution providing for a Contract or Contracts authorizing Reconstruction of Galupe Drive Sewer; and providing for the payment of costs thereof.

Also,

No. 91 Resolution providing for an Agreement or Agreements with an Engineering Consultant or Consultants for Engineering Services in connection with various Projects; and providing for the payment of costs thereof.

Also,

No. 92 Resolution providing for a Contract of Contracts authorizing the resurfacing of various City Streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurb-ing and other work incidental thereto, PW 80-02; and providing for the payment of costs thereof.

Also,

No. 93 Resolution vacating Sunbeam Way between Groveland Street and Inves-tor Way in the 32nd Ward of the City of Pittsburgh.

Also,

No. 94 Communication from Louis Gaetano, Deputy Director, Department of Public Works requesting permission for Messrs. Gergerich and Rogers, Department of Public Works, to attend Traffic Signal System Seminar, Harrisburg, PA, February 5-8, 1980, at a cost not to exceed \$550.00, payable from Code Account 1643, Miscel-laneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 95 Resolution providing for an Agreement or Agreements with a profes-sional Real Estate Appraiser or Appraisers for real estate appraisal services in connec-tion with the purchase or sale of real prop-erty by the City for the calendar year of 1980 and providing for the payment thereof.

Also,

No. 96 Resolution providing for the renewal of the Public Safety Building Ele-vator Maintenance Contract, Controller's Contract No. 17651, and providing for the payment thereof.

Also,

No. 97 Resolution providing for the renewal of the City-County Building Eleva-tor Maintenance Contract, Controller's Con-

tract No. 16044, and providing for the pay-ment thereof.

Also,

No. 98 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$4,000.00 to Civic Center Clean-ing Company, for cleaning of Public Safety Building to be payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 99 Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$11,144.35 for emergency repair work made without previous authority of law.

Also,

No. 100 Resolution providing for the issuance of a warrant in favor of Allegheny Ford Truck Sales, Inc. in the amount of \$575.84 for emergency repair work made without previous authority of law.

Also,

No. 101 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$6,480.07 for emergency repairs to City vehicles without previous authority of law.

Also,

No. 102 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,153.07 for emergency purchase of #2 Heating Oil, and for the payment thereof.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were intro-**

duced so the bills will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed,

Also,

No. 103 Resolution amending Res. No. 1130, approved December 21, 1979, entitled "Transferring the aggregate sum of \$223,500.00 from and to code accounts within the Department of Supplies" by deleting one code account and inserting another.

Which was read and referred to the Committee on Supplies.

**Michelle Madoff** presented

No. 104 Communication from Richard M. Cosentino, Director, Department of Water requesting reimbursement to five Water Dept. employees listed herein of tuition charges for attendance at PA Dept. of Community Affairs Water Works Operators Course held at New Kensington Water Works and completed May 25, 1979, at aggregate cost not to exceed \$150.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

Also,

No. 105 An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, by adding a new Chapter 611, Alarms, providing regulations for alarm systems in the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

**Mrs. Masloff** presented

No. 106 Resolution amending Exhibit 1 of Resolution No. 1229, effective January

1, 1980, entitled: "Adopting the 1980 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by increasing funds for the Department of Parks and Recreation and redefining projects.

Also,

No. 107 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for acquisition services in connection with the expansion of Volunteer's Field; and providing for the payment of the cost thereof.

Also,

No. 108 Resolution amending Res. No. 1182 effective December 31, 1979 entitled: "Amending Res. No. 953 approved Oct. 25, 1979, effective Oct. 30, 1979, entitled "Authoring a fourth amendatory cooperation Agreement for the Manchester Redevelopment project providing for the conveyance of public properties, dedicating of a public park, correction of map references, and updating of financial arrangements" by adding authorization to transfer certain community development block grant funds to the Urban Redevelopment Authority of Pittsburgh for construction of a swimming pool and related appurtenances," by increasing the transfer authorization.

Also,

No. 109 Resolution amending Ordinance No. 540, approved September 25, 1975, entitled: "Providing for a contract or contracts for the purchase of playground and athletic equipment for various recreational areas in the Department of Parks and Recreation and providing for the payment of the cost thereof" by decreasing the authorization.

Also,

No. 110 Resolution providing for an agreement or agreements with Pittsburgh

Rockets Drum and Bugle Corps to provide a music education and recreation program for youth in the City and providing for the payment of the costs thereof, which shall not exceed \$12,400.00 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 111 Resolution providing for an agreement or agreements with the Pittsburgh Opera, Inc. to provide opera performances for residents of the City and providing for the payment of the costs thereof, which shall not exceed \$9,000.00 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 112 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$498.75 for transportation charges of Siberian Tiger for Pittsburgh Zoo from San Diego Zoo.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 113 Resolution providing for payment of vacation pay to certain former employees.

Which was read and referred to the Committee on Finance.

Also,

No. 114 An Ordinance supplementing The Pittsburgh Code Title Six, Conduct, Article 1, Regulated Rights and Actions by adding a new Chapter 611, Alarms, providing regulations for alarm systems in the City of Pittsburgh.

Also,

No. 115 Resolution providing for an agreement or agreements effective January 1, 1980, with James K. Staud, VMD, for Veterinarian Services in connection with the treatment of dogs assigned to the Canine Unit of the Operators Branch of the Department of Police, and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 116 Resolution approving the revised proposal dated January, 1980 for Redevelopment Activities in Redevelopment Area No. 36, Clifton Park, located in portions of the 25th and 26th Wards of the City of Pittsburgh; approving Modification No. 1 to the Redevelopment Area Plan; and making certain findings related thereto.

Also,

No. 117 Resolution amending Ord. No. 133 of 1970 entitled "Authorizing the Mayor, the Director of the Dept. of Public Works, the Director of the Dept. of Water, and the Director of the Dept. of Lands and Buildings, for and on behalf of the City of Pgh., to enter into a Cooperation Agreement with Urban Redevelopment Authority of Pgh., in furtherance of the Redevelopment of Redevelopment Area No. 36 in the 25th and 26th Wards of the City of Pgh., providing for the vacation of certain streets in the Redevelopment Area; the conveyance of all the City's right, title and interest in and to said vacated streets, and other real property in said area to the Urban Redevelopment Authority of Pgh., the improvement of certain rights-of-way in said area and the making of a payment by the City of Pgh., to the Urban Redevelopment Authority of Pgh., and setting forth the terms of the agreement" by allowing for the provision and dedication of certain site improvements, vacation and conveyance of certain streets and ways, vacation and abandonment of certain sewer and water lines,

inclusion of flood plain requirements, adoption of non-discrimination clauses, and changes in the financing of the project.

Also,

No. 118 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$817,475 to the Pennsylvania Department of Community Affairs for the Clifton Park Project.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed,

Also,

No. 119 Resolution providing for a transfer of \$75,000.00 from Code Account 45, Health Insurance, to Code Account Manchester Neighborhood Development Trust Fund (MNDTF), services contained in Res. No. 831 of 1979.

Which was read and referred to the Committee on Finance.

Also,

No. 120 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Numbered 11 and 16 by changing from "R4" Multiple-Family Residence District to "R2" Two-Family Residence District all that certain property bounded by: **SOUTH HIGHLAND AVENUE; WALNUT STREET; Block 84-P, Lot No. 290 in the Allegheny County Block**

**and Lot System; Block 84-R, Lot 45 in the aforesaid System; STRATON LANE; Block 84-R, Lots No'd. 42, 41 and 9 in the aforesaid System; EMERSON STREET; SELLERS STREET; PURITAN WAY; Block 84-R, Lots No'd. 221, 219, 217, 215, 213 and 211 in aforesaid System; EMERSON STREET; Block 84-R, Lots No'd. 88, 96, 99 and 72 in aforesaid System; HOWE STREET and Block 84-P, Lots No'd. 308, 306 and 304 in the aforesaid System; 7th Ward.**

Also,

No. 121 An Ordinance amending the Pittsburgh Code Title Two, Fiscal, Article IX, Property Taxes, Chapter 265, by providing for temporary exemption from taxation for certain improvements to deteriorated dwellings and on residential construction pursuant to Act 42 of 1977; and repealing Ordinance No. 596 approved December 29, 1972, entitled "An Ordinance providing for tax exemption for certain improvements to deteriorated dwellings pursuant to Pennsylvania Act No. 34 of 1971".

Also,

No. 122 Resolution amending Res. No. 1160, approved December 27, 1979, effective December 31, 1979, entitled "Resolution providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc., in the amount of \$224,000.00 as partial payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street, and Ivin Street; and providing for the payment thereof," to further specify the Code Account.

Also,

No. 123 Resolution providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh to provide Relocation Services for various Pittsburgh North Side Housing Programs, in an amount not to exceed \$340,000.00, chargeable to and payable from Code Account HD-79-19, North Side UDAG Relocation.

Also,

No. 124 Resolution providing for an agreement or agreements with Allegheny Real Estate for management services in connection with the Innovative Grant-Residential Clubs Program.

Also,

No. 125 Resolution amending Section 11 of Res. No. 1267 of 1977, previously amended by Res. Nos. 483 829, 999 and 1563 of 1978, and by Res. Nos. 252, 308, 509 and 706 of 1979, entitled "Providing for the filing of an application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program", so as to decrease line item PR 78-09 "Swimming Pools, Paulson Reconstruction", from \$300,000.00 to \$205,000.00; and further, to create a new line item, PR 78-35 "Manchester Pool" (\$95,000.00).

Also,

No. 126 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting permission for Gary Erenrich to attend Transportation Research Board Meeting, Washington, DC, January 21-24, 1980 at a cost not to exceed \$241.00, payable from Community Development Block Grant Funds, Code Account CDPA.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 127 Resolution providing for the issuance of a warrant in favor of NCR Corporation, P.O. Box 64060, Baltimore, MD 21264, in the amount of \$507.92 and in payment for repairs to NCR Cash Register without previous authority of law and providing for the payment thereof.

Also,

No. 128 Resolution providing addi-

tional benefits to beneficiaries of the City of Pittsburgh Policemen's Relief and Pension Fund, Fireman's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1980.

Also,

No. 129 Resolution amending and supplementing portions of Resolution No. 1230 of 1979 entitled "A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1980 and ending December 31, 1980" by correcting the appropriation amounts for various code accounts.

Also,

No. 130 Resolution authorizing the City Controller to engage the services of Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$3,500.00.

Also,

No. 131 Resolution providing for an agreement or agreements with Lana C. Byers for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Also,

No. 132 Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$1,873,630.00 by the execution of all lease evidencing acquisition of a capital asset, establishing the useful life of the Project, and directing the filing of documentation with the Department of Community Affairs.

Also,

No. 133 Resolution providing for the award of a contract or contracts for computer hardware equipment operating system



software and application program conversion assistance; and providing for payment of cost thereof.

Also,

No. 134 An Ordinance amending the Pittsburgh Code Title Five, Traffic, Article VII, Parking, Chapter 545, Off-Street Parking, Section 545.03 VIOLATIONS to prohibit parking vehicles across or over marking or lines designating any parking spaces; requiring head-in parking; and prohibiting parking of vehicles in spaces designated for the handicapped.

Also,

No. 135 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for herself and Asst. Director Shugar and Fiscal Officer Kennen to attend meeting with U.S. Dept. of Labor Grant Officer, Philadelphia, PA January 24, 1980, at a cost not to exceed \$400.00, payable from CETA Trust Fund, Federal Funds.

Also,

No. 136 Communication from John Gabriel, Director, Commission on Human Relations requesting permission for Joseph L. Lewis, Jr., Chairperson and Director Gabriel to attend U.S. Equal Employment Opportunity Commission Conference, San Diego, California, February 6-9, 1980, at no cost to the City.

Also,

No. 137 Communication from John Gabriel, Director, Commission on Human Relations requesting amendment of Council Bill 3961 authorizing Helen Robinson, CHR, to attend U.S. Office of Personnel Management course on Labor Relations for Supervisors and Managers, Pittsburgh, PA, December 5-7, 1979 at a cost not to exceed \$130.00, by changing the date to February 13-15, 1980.

Also,

No. 138 Communication from John McAllister, Manager, City Information Systems, requesting permission for Messrs. Nicotra and Goliat to attend Structured Programming Methods Course, Holiday Inn, Parkway West, February 7-8, 1980 at a cost not to exceed \$490.00 payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 139 Communication from Mead J. Mulvihill, Jr. submitting Settlement of Small Claims for the fourth quarter of 1979.

Also,

No. 140 Communication from Richard S. Caliguiri, Mayor, submitting the collective bargaining agreement reached between the City of Pittsburgh and the American Federation of State, County and Municipal Employees, Local 2719, effective January 1 and July 1 in 1980 and 1981.

Also,

No. 141 Communication from Richard S. Caliguiri, Mayor, submitting Memorandum of understanding reached between the City of Pittsburgh and AFSCME, Local 2037 representing first level blue collar workers for the years 1980 and 1981.

Also,

No. 142 Communication from Richard S. Caliguiri, Mayor, submitting a Memorandum of Understanding reached between the City of Pittsburgh and the Pittsburgh Recreation Teachers Union, Local No. 192 for the years 1980 and 1981.

Which were severally read and referred to the Committee on Finance.

Mr. DePasquale presented

No. 143 Petition from Western Pennsylvania Alarm Companies requesting a

public hearing on the ordinances supplementing the Pittsburgh Code, Title 6, Conduct, Article I, Regulated Rights and Actions by adding a new Chapter 611, Alarms, providing regulations for Alarm Systems in the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 144 Report of the Committee on Finance for January 16, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 21

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$18,555.33 for emergency repair work to City vehicles furnished without previous authority of law."

Which was read,

Also,

Bill No. 22

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pisani Brothers, Inc., in the amount of \$477.00 for emergency repair work to City vehicles furnished without previous authority of law."

Which was read.

Also,

Bill No. 23

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., in the amount of

\$2,225.00 for emergency repair work furnished to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 24

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pak-Mor Manufacturing Company in the amount of \$558.35 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies without previous authority of law."

Which was read.

Also,

Bill No. 25

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Hydra-Tech, Inc., in the amount of \$787.55 for specialized automotive parts and equipment furnished to the Bureau of Automotive Equipment, Department of Supplies, without previous authority of law."

Which was read.

Also,

Bill No. 26

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arnold Graphic Industries, Inc., for the emergency purchase of continuous tax forms furnished to City Information Systems, without previous authority of law."

Which was read.

Also,

Bill No. 27

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Boron Oil Company in the amount of \$2,307.00 for the emergency purchase of #2 Heating Oil, and for the payment thereof."

Which was read.

Also,

Bill No. 28

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$13,878.20 for emergency repair work to City vehicles furnished without previous authority of law."

Which was read.

Also,

Bill No. 29

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford Inc., in the amount of \$13,693.23 for emergency repairs to City vehicles without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 145 Report of the Committee on Supplies for January 16, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 30

A Resolution entitled, "Resolution amending Resolution No. 997, approved November 9, 1979, entitled 'Providing for the letting of a contract or contracts for the furnishing, delivery, and complete installation of approximately 300 square yards of carpet for the Department of Lands and Buildings, and for the payment thereof,' by increasing the amount from \$4,200.00 to \$5,368.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative the bill passed finally.

## MOTIONS AND RESOLUTIONS

No. 146 Communication from Richard S. Caliguiri, Mayor, appointing George R. Whitmer of 5414 Coral Street, Pittsburgh, PA 15206 as City Treasurer.

Which was read, received and filed.

Also,

No. 147 Resolution approving and confirming the appointment by the Mayor of George R. Whitmer, of 5414 Coral Street Pittsburgh, Pennsylvania 15206 as City Treasurer; and waiving the prior residency provision of the Charter Act of 1901.

Which was read.

**The Chair:**

Is there any discussion on the appointment?

**Mr. Stone:**

I didn't catch that last one, we are waiving residency?

**The Chair:**

I told you he lived in Clarion County.

**Michelle Madoff:**

Doesn't he live in the City? I thought he lived in Shadyside.

**The Chair:**

He lives in Clarion County.

**Mr. Stone:**

Well, let me just say this much right now—

**Michelle Madoff:**

He lives in Shadyside.

**Mr. Stone:**

Ordinarily, I would move to hold for two weeks. At this particular time I will wait for someone to make an affirmative vote, but I am telling everybody in advance that I am voting against this particular individual. I am not waiving any more residencies for anyone to come into this City when we have a half of a million people who are qualified to hold positions. It is bad enough for a non-City resident to have been working now for two years, working for two years and didn't even move into the City yet. This is the most asinine thing that has come to this Council in the last seven years since I have been here.

**The Chair:**

It may be immaterial but the gentleman is also a Republican. That is beside the point—ladies and gentlemen, if I may, I am a firm believer in promotions in-house. We didn't do this in the Water Department although we had several qualified, much better qualified people than Mr. Cosentino. I'm not trying to put Cosentino down, he didn't have the qualifications of several people who worked in the Water Department. Now, we have the same situation in the Treasurer's Office where a totally unqualified man is put up for the position when people like Betty Goldberg, Ed Ranallo, Mr. Jacoby and Mr. Ray Baker—just a few names that come to mind—have that ability, have that expertise and again are being overlooked. Why they go to a person who doesn't even live in the City of Pittsburgh, and doesn't even happen to be a member of our party. Some people may say look, you are looking for the best man, party notwithstanding, well when there are two people that qualify and one is a Democrat and one is a Republican, I am going to support the Democrat and I don't give a damn who knows it. In this case here, we have a Republican who is totally unqualified compared to several Democrats who are qualified and have the expertise and have served in that Department for several years.

**Mr. Stone:**

To get the thing moving, I will move for adoption, but I am telling you in advance mine will be a no vote.

**Michelle Madoff:**

Mr. President this does not go to my vote, I am just curious, I was under the clear understanding from Mr. Whitmer himself that he bought a house in Shadyside, so I am a little confused.

**Mr. Coyne:**

Mr. President, I think this could be cleared up, I think probably what it is is that he hasn't been a resident for a long period of time and the Charter probably states that you have to be a resident for what is it, two years Mike?

**Mr. Perry:**

I believe it is two years. I think that is the portion of the Charter they are speaking of.

**Mr. Coyne:**

Is that the misunderstanding here, the fact that he is a resident now, but that you have to be a resident for a longer period of time?

**Mr. Perry:**

I think so, I believe that is it.

**Mr. Coyne:**

Well, we'd better check that out.

**Mr. Flaherty:**

His address is on Coral Street in the 8th Ward in Bloomfield. I don't know how long he has resided there but I am sure that is where his home is now.

**The Chair:**

You know, the very fact that the Mayor is asking for a waiver on his residency, he must not qualify in regards to residency and I think Mr. Coyne is correct, I believe the Charter calls for a residency of three years to be eligible to be an elected or an appointed official of the City of Pittsburgh. I know definitely for an elected official, it is three years.

**Michelle Madoff:**

Mr. Chairman, did you get a resume on Mr. Whitmer?

**The Chair:**

I have received no resume.

**Michelle Madoff:**

Nor have I, how can we consider someone without having looked at his qualifications? I move that we hold until we get his resume.

**The Chair:**

He doesn't have any qualifications to submit.

**Mr. Stone:**

I make a motion that we vote at this time and I will move for adoption, but you know in advance that my vote is going to be anti.

**Mr. Robinson** seconded the motion.

Which motion prevailed,

**Michelle Madoff:**

May we have discussion on the motion?

**Mr. Stone:**

Yes, there is a motion and a second, now you have discussion.

**Michelle Madoff:**

May I suggest that we withdraw the motion, respectfully, until we get, at least some qualifications, a resume on the gentleman before we vote up or down on it? If indeed the person has been here two and a half years, I don't think that your reasoning as far as Democratic and Republican—it would be your right to vote of course—and that may be—oh, we have the resume now.

**The Chair:**

Well, your motion is in order, if the gentleman who made it cares to withdraw it. Apparently not.

**Michelle Madoff:**

We have a resume on Mr. Whitmer now.

**Mr. Coyne:**

Mr. President I also recommend that we—being that we just got the resume here today, that we delay it for the customary two weeks that we have for appointed officials by the Mayor. I know that is not in line with the motion here, but if those who made the motion would care to withdraw we could entertain a motion to hold for two weeks.

**Michelle Madoff:**

Would it really make any difference doesn't the Mayor get to keep him whether we vote him up or down?

**The Chair:**

Mr. Stone, do you care to withdraw your motion, otherwise it stands.

**Mr. Stone:**

Let me just say here for a second, I am willing to give this time if it be necessary. Obviously, for my position, I will not change in either event. Mr. Whitmer has been here in the City and we have what I think now has come up to me as a more crucial problem. The man is making

somewhere in excess of \$20,000 from the City of Pittsburgh already and he didn't qualify then for the residency requirement and now what we are doing is give an added blessing by violating the residency rule again, giving him an opportunity to make many times more that kind of money. I think the Mayor and he should have been satisfied that he was able to serve on the Mayor's staff while not qualifying for a residency requirement. I am hard put, as I have said many, many times, if I be the only voice on this Council—if I be the only voice on this Council, I will never be the one to admit that the City of Pittsburgh is bankrupt in talent.

**The Chair:**

Thank you Mr. Stone.

**Mr. Givens:**

Mr. President, I find one thing very, maybe amusing or whatever you want to call it—the fact that George had worked on the Mayor's staff, that he received all kind of praise, in fact from the Mayor's Conference—that the City of Pittsburgh so sponsored. He was the person held responsible for that special—

**The Chair:**

Dick, my eight year old grandson could have run that Conference. I don't want to hear that, that is ridiculous—the newspapers proved that the other day—that is like saying he went to Korea during World War II and that makes him an expert in war and he could be a general.

**Mr. Givens:**

Let's go back in the man's qualifications, it was one of the finest Mayor's Conferences anyone ever attended and I have people, Mayors and Councilpeople from all over this country tell me that.

**The Chair:**

He did what? He set up meetings, he set up dinners, he set up cocktail parties?

**Mr. Givens:**

He was responsible—

**The Chair:**

I'm an expert at that, you want a cocktail party or a dinner come to me—

**Michelle Madoff:**

Are we invited?

**Mr. Givens:**

There was a few hundred thousand dollars that had to be raised too, you know.

**The Chair:**

I don't want to get into an argument with you Dick—if that is part of his qualifications, that has nothing to do with the Treasury Department—or maybe I'm mixed up.

**Mr. Givens:**

I said it might be amusing.

**The Chair:**

It is amusing alright, it is amusing to me.

**Mr. Stone:**

Mr. President, in view of the way this thing is going, as I see it, I am tempted to say that this thing will get worse before it gets better, so in the best interest of the applicant, the Administration, and this Council, I will leave the motion as is.

**Mr. Coyne:**

Mr. President, before I vote, I think it ought to be pointed out that having just received the resume, I don't feel that I have enough time to determine what his qualifications for the job are and that all other appointments that have come before this Council in the past, it is customary to hold for two weeks. In light of that I will abstain

from voting, without having the pertinent information as to see whether he is qualified for this position or not.

**Mr. Flaherty:**

Mr. President, I concur with what Councilman Coyne has said and I will abstain also.

**Mr. Givens:**

For the same reason I will abstain.

**Michelle Madoff:**

Make that four.

**Mr. Robinson:**

Point of information from the Parliamentarian—how many votes does it take to approve Mr. Whitmer?

**Mr. Stone:**

Five votes.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

None

**Noes:**

**Mrs. Masloff**

**Mr. O'Malley**

**Mr. Robinson**

Noes 5

**Abstaining:**

**Mr. Coyne**

**Mr. Flaherty**

Abstaining 4

**Mr. Stone**

**Mr. DePasquale**

(Pres't)

**Mr. Givens**

**Michelle Madoff**

And a majority of the votes of Council not being in the affirmative, the appointment was defeated.

**The Chair:**

Mr. Whitmer has been turned down as the Treasurer of the City of Pittsburgh.

**Michelle Madoff:**

Mr. President, point of information—does this mean that Mr. Whitmer can still have the job, that he becomes acting Director as opposed to Director? I'm a little confused because Mr. Miller was here without the blessing of Council before I got here and he served for a long time.

**The Chair:**

I didn't know that he was the acting Director is he?

**Michelle Madoff:**

Well, Miller was the Director—it was never approved by this Council and what I am asking—

**The Chair:**

No, you are talking about two different things—you are talking about a re-appointment and an appointment. In the case of an appointment, if he is turned down by Council he cannot serve as a Director of that Department.

**Michelle Madoff:**

Can he serve as an acting Director, does he serve anyway?

**The Chair:**

I presume he can, if the Mayor wants to put him in as an acting Director, or if he wants to put him in some other capacity in that Department.

**Michelle Madoff:**

I just thought it ought to be clarified.

**The Chair:**

Our only purview is voting on the Director or secretary of the Department.

**Michelle Madoff presented**

No. 148 WHEREAS the present method of introducing a formal budget proposal to Council in November as mandated by the Charter of the City of Pittsburgh, leaves insufficient time for in-depth research into alternative sources of revenue; and

WHEREAS the burden continues to fall on the individual taxpayer, in the form of increases in wage taxes and raises in property taxes; and

WHEREAS the burden could be more evenly and more equitably distributed across the City's tax base if Council were afforded more time in which to review the City operating budget with the department directors, and explore with them alternate methods of trimming costs, increasing revenue, and otherwise streamlining operations; and

WHEREAS, there is a need for an ongoing review of the budget, on at least a 9 month basis, in informal, non-structured meetings, where such things may be reviewed, the Controllers monthly report, and innovative revenue producing projects, such as sales of City properties, raising admission fees to the Zoo, Aviary and Conservatory and investigation of other alternatives.

NOW, THEREFORE,

BE IT RESOLVED, that Council shall establish a policy of holding informal, non-structured meetings to discuss the budget twice monthly, at a time determined by the President of City Council. Such meetings shall be open to the public and held in accordance with all applicable laws, includ-



ing PA Act 175 of 1974 (the Sunshine Law).

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Givens:**

Mr. President, I have some discussion on this before we have a motion on it—I think some of the points that have been brought up here are ongoing points of information that all Councilmen try to seek from the various Directors that we have the Chairmanship of and I think there are some other points that are brought up here that I would like to see dialogue open up between the Mayor's Office, the various department heads and this Council.

I also have to caution the fact that we have, according to our Home Rule Charter, a division of powers between the Council of the City of Pittsburgh and that of the Mayor's Office. I would hope that the presenter of this particular bill would hold it until such time as we could maybe talk to the Mayor and some of the members of the staff and each of us talk with the various directors to see how they feel on this particular issue before we go to vote on it. I think it is a very worthwhile type of thing and something that three years ago I tried to sit in on one of the ongoing, as then Chairman of Public Safety—it was either the Police or Fire, I cannot recall right now, ongoing negotiations. I was most heartently asked to be taken out of there then, Mayor Flaherty's aides and rather than cause a ruckus over what was happening right there, I decided to leave. But they weren't going to continue on with their contractual negotiations. There is a fine line between the Council, the powers as directed by that Home Rule Charter and that of the Mayor of the City of Pittsburgh. I feel there are good points, but I feel it needs to be at least looked at and studied and get possibly a legal opinion.

**The Chair:**

If I may answer Mr. Givens my prob-

lem with the matter is, I don't think before an eight month period—or before eight months are up, that we can make an evaluation or determination regarding the budget. At least not until the month of June. I go along with Michelle Madoff that we should have a much longer time than we have to try to form a budget, November and December just isn't enough time. I think maybe if we drop it back to September, then you are talking about September, October, November and December. I think that gives us more than enough time and then we can start making evaluations. We won't know until then just how much revenue the City is going to take in, and there will be other determinations. The fact is we are just are not going to be aware of those and we would be just whistling in the dark in February and March if we held hearings.

**Michelle Madoff:**

Mr. Chairman, perhaps I am at fault in the way this bill is—its interpretation, it may be semantics. Perhaps if I can clarify what I mean by this bill I was giving examples—all I am asking for is the final paragraph:

Be it resolved that this Council shall establish a policy of holding informal, non-structured meetings to discuss . . .

and perhaps we could change the words "the budget", we could change that to "Council business"

. . . twice monthly at a time determined by the President of City Council.

Sometimes we talk about, things come up in Council, ten minutes at a Post Agenda meeting, we have six items, we really don't have enough time to go into it. Many things may not affect the budget most things do.

There are alternative sources of revenue, there are ideas amongst Councilmembers that I haven't even dreamed of. I only threw a couple out, and these are not neces-

sarily ones that Council would even choose to look at. All I am proposing is that the Council get together twice a month to discuss the business of the people, to discuss alternative ways of raising money. There isn't a member of Council that I don't think is bright enough to determine right as we sit now with inflation the way it is, that we are not going to have to raise taxes next year. What can we do instead of raising taxes? How can we raise the least amount of taxes? What other sources of revenue could we start to look at? How can we continue with the meeting that you sir, proposed yourself, recently, that we were going to meet with the Legislators from Harrisburg. I talked about that before the end of the year. I have talked to Ivan Itkin and to all the representatives in this area. We set up a luncheon meeting. When you said that you wanted to meet with them I just dropped my plan and said, "Fine Mr. President, you go with yours. I don't think it is a matter of whether this is my suggestion, or whether it is your meeting with the people, but I think there is a crying need and I have spoken to several of the Councilmembers who sat many years before I got to Council. I spoke to Michaels and to Baskin and to Craig and they said there was a time, even when they used this place as a weigh station, when you came in on Monday and Wednesday for a couple of hours, they used to meet, they used to get together and discuss the business of what was coming up and what we could—not in September, but every month and that is what I am asking. I think the bill is—I was only giving examples and the examples are being misconceived or misinterpreted as meaning that we sit on negotiations with the Mayor or we sit in on this or sit in on that. I'm saying, in an informal structure, where nobody gavels you down and says, what can we look at, what can we do, and we would gain more respect for each other and perhaps a better understanding of working together.

**Mr. Stone:**

Mr. President, if I may, we are talking about budgetary matters, and by this reso-

lution you get the impression that nothing is done during the year, but nothing could be farther from the truth. We have a budget staff that is always working on these matters and there has never been any restriction on any Councilman who has a worthwhile project or a proposal to present to this Council body and it be handled one on one. I am at a loss to understand why we need to set up another set of meetings when we already have meetings where we can bring the things up that are necessary but I am at a greater loss to understand how we can have more meetings than we had already in the final analysis, when it comes time to vote on the budget, we appropriate \$180 Million and then I have to quote Mr. Coyne—when it comes to saying that we are going to spend \$180 Million and we don't even vote to raise the revenue to pay it. Why do we need more meetings if you are not in the final analysis when it comes to rug-cutting time, if you are not going to appropriate the money? That seems more nonsensical than even the resolution.

**Michelle Madoff:**

Mr. President, may I respond to that? That is exactly why I want to have these meetings. Unfortunately, the difference between perception and reality—I admit that I abstained—that is obvious, but my abstention in reality was a misnomer because I was given the opportunity to vote only on Land Tax. Had I voted no on Land Tax, it would have been interpreted in the media as voting for Wage Tax. In truth I was voting for neither because in my humble opinion, Mr. Stone and Mr. Coyne had found \$10 Million of revenue elsewhere and were able to cut the budget by \$10 Million. I have since talked to Mr. Coyne and others there seems to be a cushion of \$6 Million. I felt that there was at least two million in the paramedic costs if we went to third party payees. I thought there was money available in the sale of City owned properties and that there were enough brains on this esteemed body that we could come up with some alternative ways of raising dollars and that we have never done that and

that was a protest vote. Had we got to the position where I was the deciding vote then I would have voted one way or the other and I had discussed this very thoroughly with Mr. Coyne, he knew my feelings and this is an outgrowth of my position on the budget, I didn't just brush it aside lightly, I spent many hours writing a critique of the budget and of the process of the budget, which no one can deny is inadequate. We have a structured meeting here where we essentially, and I apologize to the President for taking to Mr. Coyne and being disruptive in this meeting because I needed some information—we have a structured meeting on Wednesday in Finance and it is pretty structured. We do have some leeway in Post Agenda, but that is pretty fast and we are all hungry and want to get out of here by one o'clock—if we are going to be honest with each other quit getting into personalities and saying, “I don't like Michelle, so therefore I am going to vote against the bill”, or taking it personally and saying, “I'm going to fix her”, and say, “she abstained”, or, “We're hitting on my committee, its budget”—take the word budget out of it, let's just talk about the good of the public and let's start meeting and start talking about the people's business in a more informal atmosphere. I don't think you disagree with me, Mr. President.

**The Chair:**

Not to a certain extent, no.

**Mr. Coyne:**

Mr. President, I would like to comment on the resolution and say that I think it is within the purview, not of the President of Council, but of the Chairman of the Finance Committee to call Finance Committee meetings. We have one scheduled every week, it is held on Wednesday, and there is no prohibition of someone introducing a bill here on Monday morning and saying, “I have a method of taxation that I would like to have entered in the Finance Committee” and have that come up in the Finance Committee any Wednesday

of the year that we meet. So, I see this as something that isn't needed, that we have already and aside from the fact that any member of Council, and are all members of the Finance Committee—could bring up any subject of taxation or any other fiscal subject that we would want to bring up and ask that representatives from the Administration be in this Council anytime when another meeting isn't scheduled. So, I don't think that you need this kind of resolution to accomplish what you are trying to do.

**Michelle Madoff:**

I suggest that we take the word “budget” out, because I don't think it necessarily relates to the budget finance committee, it relates to the business of the people and there are so many items that we talk about that don't always result in, necessarily, dollars. For example, the burglar alarm bill which I brought to the attention of Council and the Mayor promptly drew up a rather hurriedly designed ordinance and our people have been working on it for some time I think it is a better bill, we also didn't feel that we had proprietary ownership of the bill, so we incorporated what was good in the Mayor's bill. I'm thinking that we really need an informal session to get together and discuss various aspects—that we are too rushed to discuss—we have a very full agenda on Wednesdays, you would agree with that.

**Mr. Coyne:**

Well, I'm suggesting that Wednesday is not the only day that we could meet, you know, there are five days a week, six days a week, that any member of this Council who wishes to call a meeting, we are all members of each Committee on Council and when you bring up the burglar alarm, on that, we are all members of the Public Safety Committee. If you chose to call a meeting of the Public Safety Committee on a Thursday or a Friday, I'm sure that there would be people who would attend.

**Michelle Madoff:**

I think we are wearing it to death, I think there is a need for us to meet more frequently, I think there is a need to discuss many items that I outlined in the critique of the budget and that other people have concerns about. I have talked to you, you have shared some of these concerns with me and I'm just saying that I am really disappointed that people would say we should not get together in an informal setting, I have talked to Mr. O'Malley about it, as a matter of fact, he proposed that he was going to introduce a resolution of his own, I'm surprised I haven't heard from him today on this matter.

**Mr. Coyne:**

Well, when I had a concern and other members of Council had a concern about the Saw Mill Run Boulevard as a separate issue, the creek proposal, we scheduled a ten o'clock, Friday meeting, which are usually open and I think that avenue is available to any member of Council to do that on a particular subject, whether it be fiscal or otherwise.

**Michelle Madoff:**

I think that is too loose an arrangement, I really think we need something where we meet twice a month to discuss anything, we will all know to be there and we should be discussing, such as the Saw Mill Run, not necessarily having to schedule it on a Friday morning. Its just a difference of opinion.

**The Chair:**

Is Mr. Coyne's suggestion clear to the new members? Just coming in, I know it seems sort of vague, is that clear to you Tom and Jim?

**Mr. Flaherty:**

Yes.

**Mr. O'Malley:**

Yes, but Mr. President, I agree with Michelle, I think for myself, as a new member of Council, an informal meeting once a week would give me a better insight for ideas, legislation that I have pending and maybe a better insight to everybody else's committee.

**Mr. Coyne:**

Mr. President, I would like to respond to that, that primarily is what the Monday morning meetings are about, when the legislation is introduced, the members of Council there, representatives from the Administration to question preliminarily what the legislation is about.

**Mr. Givens:**

I can object on one thing right there if I might, Mr. President. I received my legislation that was introduced at the 9:30 meeting this morning, I received it this morning and many times this has happened. I was here Friday until just about quitting time and I did not receive that at that particular time. This informaton is not being mailed out in such time, or is it in such detail that we know exactly what is going to happen there, I mean we are reading a brief summary of a particular bill. We can ask intelligent questions, there is no doubt about that—

**The Chair:**

I usually get mine on Tuesdays.

**Michelle Madoff:**

So do I "Jeep".

**Mr. Givens:**

We need the Pony Express here.

**Mr. O'Malley:**

For myself, I have legislation that I will be proposing in a week or two, and to

just sit down at an informal meeting and get the rest of Council's input, or how they feel about new legislation that I have coming up. Maybe there is something that they might want to add to it or something they may want to take away from it. Just open suggestion.

**Mr. Stone:**

That is what Mr. Coyne is saying, once you introduce it on Monday, and it comes to Wednesday, you get the time that you need. The thing you are taking about, the meetings on Monday, Council has nothing to do with, nor does the Clerk have anything to do with sending those notices late. The Mayor is proposing some legislation and his staff is sending out that mail that you get for Monday's meeting. Now, if you want to ask them to send it earlier that is a different thing, but the vehicle to get what you are asking for is already here, that is what Mr. Coyne is saying, you introduce it on Monday, there are 10 days until the next meeting, it comes here, if it needs more time, call for a special hearing on it and you get the full time that you need on it.

Setting up formal meetings for no purpose does not make a lot of sense, because there are times when you are supposed to be there, you don't have anything to do. I think there is sufficient time if any one has anything, as Councilman Coyne has indicated, ask for that special day and that special day is set.

**Mr. Coyne:**

Mr. President, also, it is a very rare occasion that on late Friday afternoon that an agenda for the Monday morning meeting at 9:30 is not placed in our boxes. Generally any time between 3:00 and 4:30 on a Friday afternoon, that agenda is placed in our box back here, so not only do we get the one mailed to home, but we also get the one delivered to our office on Friday and also the one that is valuable to us in the Conference Room on Monday morning.

**Mr. Givens:**

Well, maybe I might ask Mr. Perry, did you receive the Mayor's agenda and was it put in the slots?

**Mr. Perry:**

This past week I didn't receive it until this morning, but usually it is as Bill says, we get it around 3:00 and 4:30 on the Friday ahead.

**Mr. Givens:**

Thank you Mr. Perry.

**Michelle Madoff:**

Mr. President, I don't want to do this to death, but obviously if it fails today it probably will not be resurrected. How many times have we had an incident in the Wednesday meeting which is conducted rather rapidly, I think we would agree with that, because of perhaps, time constraints—when somebody wants to talk about something else we are told that is not on the agenda, out of order. From my point of view, it is conducted like a Chinese auction—tobacco auction. We don't even say second, nobody seconds anything, the Chairman seconds the reading because there is, no time, we've got to get out of here in a hurry and we've got these post agenda items and I think that we really have to go back, if indeed that was the case, when the City Councilmembers served previously, where they did get together in an informal setting and discuss the business, in innovative approaches. I don't know why everybody is fighting this, I just can't believe it, I think it is sort of sad.

**Mr. Flaherty:**

Mr. President, I don't see any harm at all in this resolution, and I believe that Councilman O'Malley brought up an excellent point, that perhaps this could be a forum to throw ideas around before they are introduced in the form of a bill and I plan on supporting this resolution.

**Michelle Madoff:**

I think you have said it perhaps better than I did, I don't take claim for being the greatest writer of resolutions and I think you have clarified a lot of what I am trying to say, perhaps you put it more succinctly, thank you.

**The Chair:**

Do we have a second on the resolution?

**Mr. O'Malley** seconded the motion.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Michelle Madoff</b>	

**Noes:**

<b>Mr. Coyne</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Abstaining:**

<b>Mr. Givens</b>	<b>Mr. Robinson</b>
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**AYES 3**

**NOES 4**

**ABSTAINING 2**

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Mr. Givens:**

Mr. President, I feel that this should

have a legal opinion and I would like time for it to go between the Mayor and the various directors of the City as to how they feel on this particular issue. We cannot mandate this to any of those directors, if they do not want to talk about the budget—

**Michelle Madoff:**

There are no directors involved, this is just for Councilmembers to meet amongst themselves.

**Mr. Givens:**

I read it very clearly I work with the Directors.

**The Chair presented**

No. 149 WHEREAS, the City of Pittsburgh has always been a national leader in engineering whether it be research, or in actual practice; and

WHEREAS, the City of Pittsburgh wishes to recognize the over fifteen thousand engineers and scientists represented by over forty technical societies such as the National Society of Professional Engineers which sponsors "Engineer's Week" and the Engineers' Society of Western Pennsylvania who are celebrating their 100th anniversary this year; and

WHEREAS, the City of Pittsburgh recognizes the achievements of the many notable engineers such as Dr. E. D'Appolonia, winner of the Pittsburgh Chapter's PSPE 1979, Professional Engineers Distinguished Service Award; and

WHEREAS the theme of National Engineers' Week is "Engineers—Our Renewable Resource", makes this year's theme an appropriate focus for this Renaissance City.

**NOW, THEREFORE**

**BE IT RESOLVED** by the Mayor and the Members of the Council of the City of Pittsburgh hereby proclaim the week of Feb-

ruary 17th to the 23rd, 1980 as "Engineer's Week" throughout the City of Pittsburgh and express our appreciation for the achievements of those engineers who have done so much in bettering their communities and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

Which was read.

Mr. Robinson moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed,

Also,

No. 150 WE, the Mayor and the Members of the Council of the City of Pittsburgh, representing the citizenry of our great City, wish to have recorded in the official minutes of this meeting the fact that the Pittsburgh Steelers have won the 1979 Super Bowl XIV Title by defeating the Los Angeles Rams with a score of 31 to 19, making the Steelers the first team ever to win four Super Bowl Titles, and making the Steelers the **Team of the Decade**; and

WHEREAS these achievements have brought honor and acclaim to the City of Pittsburgh in the field of sports and deserve recognition and commendation from its public officials.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, congratulate the Pittsburgh Steelers, the players, Coach Chuck Noll, his assistants, and Mr. Art Rooney and family on the accomplishment of winning the Super Bowl XIV Title and once again achieving the ultimate football goal **SUPER BOWL CHAMPIONS**, and wish to express their sincere appreciation for the credit which these accomplishments have

brought to this great City, now known as **THE CITY OF CHAMPIONS**.

Which was read.

Mr. Stone moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

**The Chair:**

It gives me double pleasure to present this resolution, I'm probably the only person in the room who saw the Steelers' first game in 1933 and the reason that happened is that I lived right across the street from the ballpark, Forbes Field and somehow or other I migrated into the ballpark and saw that first night game against the Giants, so it gives me double pleasure to present this resolution and obviously, for the great success of the Pittsburgh Steelers.

On another matter, Mr. Stone happened to be in Los Angeles, not at the game, he came back Saturday night or Sunday morning, but he has some interesting facts he would like to relate.

**Mr. Stone:**

Mr. President, if I may on January 16th, last Wednesday, I had the opportunity to be at the official meeting of the City Council of Los Angeles and the President, John Ferraro, who is himself a football player of some note, had presided at that meeting and I was attending a meeting there on behalf of the National Association of Regional Councils and in line with the wishes of Council I had the opportunity to extend our friendly gesture of a wager with Council there in Los Angeles. It turned out pretty, I understand some of you had seen it on TV. I would like to have incorporated into the minutes the remarks that I made there, but in addition to that, just to give you some insight into the sentiments of Los Angeles, they gave me a t-shirt in exchange for what we had given them, mine is one of the Rams' t-shirts, but if anyone is

following the latest developments in their football problems in Los Angeles, they gave me just in case, one from the Raiders. The Raiders may make their home in Los Angeles.

We had a rather interesting meeting, it was covered by Channel 2, Ray Tannehill was there. If I might just take a little of your time to give you a slight idea of what happened—first, I extended obviously, greetings on behalf of this Council, and on behalf of the citizens of Pittsburgh to the Council of Los Angeles and the citizens of Los Angeles. I indicated to them that I had come on a more serious and one of greater perpsensities than what greetings were and that was on the respective matters to our Cities, namely the Pittsburgh Steelers and the Los Angeles Rams, Super Bowl XIV.

I indicated as well that our Mayor had entered into a wager of sorts with the Mayor of Los Angeles and while Kolbasi is well known out here in the east, apparently, that Council at least, had no knowledge of it and we had to find it for them. The Mayor had also waged one of Pittsburgh's finest brews, Iron City. I indicated to them that I didn't think that the day could pass without a friendly exchange between our respective Councils and that I had been empowered with the awesome responsibility of communicating our wager offer. I indicated that the City of Pittsburgh was a whole world of people, in fact, that in this City it was the hallmark of this City and it is truly family, but this City Council, likewise, is part of that hallmark of ethnicity and that City Council weighed heavily what kind of a wager we might have with the Los Angeles City Council and after serious and heavy deliberations we first wanted to give them our deficit. I found out theirs was heavier than ours, so I indicated that the wager was as follows:

From the Italian contingency of this Council, Provolone cheese and pepperoni. From the Jewish representation of this Council one dozen bagels or gefile fish of

their choice, from the Black representation Southern Fried Chicken with pepper and an added touch of garlic to give it some soul, from the Serbian contingent of this City Council a barbequed pig, cooked and barbequed as only the Serbians can do it and if that were not sufficient, that we would add from the Irish representation, Irish Whiskey with a little added Pittsburgh touch.

I indicated to them that we felt the wager was obviously serious and in exchange our proposal was as follows:

I presented to them the Steeler buttons, Steeler t-shirts and of course the Terrible Towel and if the Rams were to win, we would stand ready willing and able to transport by air to them the gourmet specialties I indicated above and if the Steelers, however, were to win, that they would wear the Steeler button and t-shirt at their very first Council meeting and that the Terrible Towel, obviously, on Monday, would become the "Crying Towel".

Six or seven o'clock that morning I had the opportunity to talk to Peter Skagska of movie fame, the Pittsburgh steelworker and invited him to join us at the Los Angeles Council. He indicated to me he had a conflict and could not be there at ten—

**Mr. Givens:**

I have a conflict with that program too, I hate to tell you. I don't watch it any longer.

**Mr. Stone:**

He indicated that as far as he was concerned Peter Skagska was for the Pittsburgh Steelers, but as Karl Malden living in Los Angeles, he had to be loyal to the Los Angeles Rams.

Nevertheless, I did have an opportunity to see him after, but I cannot at this time—



### **The Chair:**

Pardon me, they are not going to send us any food or booze though? We were going to send them food and booze and they are not going to send us any. Tell them they can keep their t-shirt.

### **Mr. Stone:**

Unfortunately we weren't able to get that because I found a lot of Steeler fans on their Council. But I would just like to say that it was a lot of fun being there, they were all very, very gracious, in fact, a couple of their Councilmen have their roots here in Pittsburgh. They obviously have one thing a little better than we do, it is a \$47,000 per year job. They were somewhat pleased, they have an extremely high budget, but John Ferraro their Council President was extremely fine and I think we ought to send a letter from this Council indicating the thanks of Council for the way they received us. It was a lot of fun, and it was carried on TV here I understand, I didn't see it. It was likewise carried in Los Angeles because there were other TV stations covering it. I very much enjoyed doing it and by now Mr. Ferraro indicated to me that at their first meeting he would see that they wore the t-shirts, the buttons and The Terrible Towels and we will get a photograph of them in their new shirts.

### **MR. STONE'S REMARKS AT LOS ANGELES CITY COUNCIL:**

January 16, 1980—10:00 o'clock, A.M.  
LOS ANGELES CITY COUNCIL

Councilman Robert Rade Stone of Pittsburgh was introduced by John Ferraro, President of Los Angeles City Council.

### **Mr. Stone:**

On behalf of The City Council of the City of Pittsburgh and the citizens of Pittsburgh, I extend greetings to the Council and citizens of Los Angeles.

Now, to matters more serious for our respective cities, the Pittsburgh Steelers vs. the Los Angeles Rams at Super Bowl XIV. Our respective Mayors have entered into a wager of sorts. The Mayor wagered a Kolbasi and was told that the people of Los Angeles didn't know what that was. Also, one case of Iron City beer, Pittsburgh's finest. How could this day pass us without a friendly exchange between the Councils of our cities.

Mr. Stone was then empowered with the "awesome" responsibility of communicating a wager from Pittsburgh's City Council.

### **Mr. Stone:**

The City of Pittsburgh is a "whole world of people" and ethnicity is our hallmark. Pittsburgh's Council is a part of that composite. Obviously, we felt that our wager had to be serious so we thought at first we'd give you our deficit. City Council weighed heavily what they might wage. It was finally decided as follows:

### **We would wage**

1. From our Italian representative, provolone cheese and a stick of pepperoni.
2. From our Jewish representatives, one dozen bagels or gefilte fish.
3. From our black representative, Southern Fried Chicken with pepper and added garlic to give it some soul.
4. From our Serbian contingent a suckling pig barbecued Serbian style.

And, last but not least,

5. From our Irish contingent, a bottle of Irish Whiskey with an added Pittsburgh touch.

Obviously, from the contents of that wager, it should be clear to everyone that this wager is a serious one.

Mr. Stone then presented the members of the Los Angeles City Council with Steeler buttons Steeler T-shirts and the Terrible Towel.

The bet was as follows:

**Mr. Stone:**

If the Rams win we of the City Council of Pittsburgh stand ready, willing and able to send by air to the City Council of Los Angeles the above named gourmet specialties. But, if the Steelers win, as we expect, the City Council of Los Angeles will wear the Steeler button and the Steeler T-shirt at their next session of Council and the Terrible Towel will come in handy on Monday with a new name—the "Crying Towel".

At 7:30 A.M. Mr. Stone called "Skag" the television Pittsburgh Steelworker. Regrettably he was not able to get him because of other commitments. While "Skag" is a true Pittsburgh steelworker, and 100% for the Steelers, Karl Malden had a problem because he had to be loyal to his own team, the Rams.

Mr. Stone did meet with Karl Malden and got him to wear a Steeler T-shirt and button.

**The Chair:**

That's good, good. Mr. Givens did you have a comment to make?

**Mr. Givens:**

Yes, I have a very personal note on that, I think Bob was out of town when the second part of that movie came on this past Sunday, I don't know if he was back or not or was it Saturday? Must have been Saturday, whatever date that show airs, and they came out and went directly against the Serbian religion and against the faith of many Catholic people in regards to that particular show and as far as I was concerned I won't look at it any longer. I even commented to my wife, I said they have

probably lost half of the audience in the City of Pittsburgh and the Serbian community because of their blatant bringing it of the abortion issue on that particular show. They brought it forward they brought it out and they crucified it and I don't like it one bit.

**The Chair:**

The only thing I saw those fliers they kept preaching to some 15 year unmarried pregnant girl and that seemed to be the whole theme of the story.

**Mr. Givens:**

They distorted it is what they did "Jeep". I don't appreciate it.

**Michelle Madoff:**

I have another item to discuss. Last week I was rather severely chastised in this body because I raised the issue of PPG and the perhaps three remaining merchants who are to be relocated, being assessed or having been burdened with \$100,000 mortgage and if I recall correctly, Mr. President and you can correct me if I am wrong. Your feelings were that we ought to wait and see if indeed, the condemnation took place. As you know, I did attend the URA meeting and I was very well told off by Mr. Robin, who really is the Mayor of this City, that—

**Mr. Givens:**

I object to that Mr. President.

**Michelle Madoff:**

That is my personal opinion, you can object to it all you want.

**Mr. Givens:**

I said I object to it.

**The Chair:**

Did you say Mr. Robin?

**Michelle Madoff:**

Mr. Jack Robin who took the time to elaborate on the fact and the impression being, there again it is a matter of impression, that because I was supporting—

**The Chair:**

I don't want to interrupt you but is there a significance in you wrapping the Terrible Towel up Mr. Robinson.

**Mr. Robinson:**

I was getting ready to wave it to cool things off.

**Michelle Madoff:**

Just to bring it more concisely into focus, the issue is that I felt and I thought the members of Council and the Mayor and PPG, when we asked them to put it in writing, were going to treat the displaced merchants fairly. I don't think it is fair to burden them with a \$100,000 mortgage. I don't care what the property will be worth at a later point, because you still have to support in one case, two and a half families. It isn't a matter of selling the property, paying your taxes on whatever, capital gains, and then investing the rest and living off it at 10%, it is strictly a matter of fairness. I was severely reprimanded—well, I wasn't mentioned by name, the comments were that if Councilmembers or Legislators or people in office continue to harass PPG, and Mr. Givens at that point brought out the fact that we had voted as a body, nine of us, for condemnation of PPG. Well, I submit, the condemnation is separate and apart from burdening the merchants with the \$100,000 mortgages. We said we'd be fair, I don't think that is fair. And of course we want PPG. I took the time to go back to my file and take my statement which was read into the record the day we voted on PPG, which closes by saying, if I may:

"The taxes, jobs and other benefits that can only enhance the present community, and that we welcome PPG and that we

want them but that we want—it was the unanimous opinion of Council that we treat those people fairly."

I was told we shouldn't discuss it until it was voted on by URA. I pointed out that once it was voted on it was after the fact and I think that is what we have lived to see. I don't know how other members of Council feel but I want it in the records on a Monday meeting and I want my comments to reflect that I don't think it is fair to have a \$100,000 mortgage, which incidentally, over thirty years, is really \$200,000.

**Mr. Givens:**

Mr. President, much of what Michelle said was on and off the floor at the URA Board meeting, you had to have attended to know, there was dialogue that went on after the meeting had adjourned, at least that portion of it that she brings in, like all this had happened right in front of that meeting. I think the Press adequately covered what had happened at that particular meeting and what was said in the formal meeting before us.

As I view it, as a businessman myself, and looking at the lucrative help that the PPG was giving the merchants down there, and the moral implication of this Council having to vote for that several months ago, not knowing how things were going to work out, it is my feeling and my belief that morally this Council made the right decision.

When you use the power and the right of eminent domain, regardless of whose hands you put it in, it is a damn scary issue and I think that this Council acted very judiciously, back several months ago when we passed that legislation. I think what PPG is doing and any other businessman who knows all of the facts, the thing that Michelle does not have is all of the facts. Many of those facts, it has been pointed out, are under litigation, many of those facts are under negotiation. It is something personal, it is something be-

tween the companies themselves and the people who are being relocated.

**The Chair:**

You are a member of the Board there, right?

**Mr. Givens:**

Yes I am.

**Michelle Madoff:**

Mr. President, I not only have the facts, but since I don't think I am the smartest person in the world, I went to two or three of the top attorneys, including Leonard Mendleson as you recall, and I have his comments on eminent domain and what I am referring to as the public dialogue, in truth, there was a battle between myself and Mr. Robin afterwards, a private battle, but what did transpire and was recorded, I believe accurately in the media, was one of if we are obstructionists then in industry we will move out of here, etc., etc. And I again reiterate that was not the point, we want PPG, I want PPG, but I do think that a \$100,000 mortgage is—picture yourself or your family with that sir, and you would not think it was so fair.

I would like to add one point. I came back to this office a little distressed, but I remembered vaguely when we went over line by line items of the budget, the Capital Budget, that there was something about Market Square. So I took the opportunity too call Mr. Lurcott and I said Bob, am I nuts, or is this true? And he confirmed the following, that we are going to be spending—my original figure was \$108,000, he corrected me—it is only \$760,000 to do streets for PPG. To my knowledge, and I asked him and he confirmed it, that this is not normal, we do not normally do this for developers.

I feel that if the Administration had reflected the views of this Council and URA had not botched the job, and this

is my own feelings and I think the feelings of the diocese by the way, that they would have gone to PPG and although there is \$760,000 here, I wouldn't have cared if it was another \$100,000. I think it was unjust and immoral to put that burden on these people. That is the issue, not the condemnation and we should not confuse the two.

**Mr. Givens:**

Mr. President, I'd have to say that we have received almost \$23 Million in community development. We have paved over 900 miles of street in this City and we will do so in a matter of a couple more years. We can look at Station Square or we can look at any development in this City—

**The Chair:**

Do you mean to imply the Mayor is running—

**Mr. Givens:**

Sure, it is a cooperative agreement, we are trying to put sewer lines, water lines, which is the responsibility of the City of Pittsburgh to put in there, only where it hooks up to the people of any industry or any company or corporation, do they have that responsibility. That responsibility is that of the City of Pittsburgh, be it \$760,000, all of us were aware of that and we spend much money in our Capital Improvements to make this a better City. What are we going to do, put a building up and not hook up the water, the lights, the shrubbery, etc? That is our responsibility as taxpayers of the City of Pittsburgh, to make our place a better place to live in.

**Michelle Madoff:**

That street was put in two years ago, the Third Avenue part of the project and if we had redone it in '80 instead of '81, we would have had to pay the Federal Government back the money—and I repeat, we don't do it for other developers, according to Mr. Lurcott.

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**Mr. Givens:**

We don't.

**Michelle Madoff:**

Alright, but we are doing it for PPG and I don't care that we are doing it for PPG, God bless them, let them make millions of dollars on their five auxiliary buildings, they are going into the real estate business, but not at the cost of the people, we forget that we too could be in that position.

**Mr. Givens:**

What about Market Square, what about

all of the business people that are up in Mt. Washington, we are building a new roadway up there for them because the old one is deteriorating? You cannot use that as an explanation, that is a big difference.

**Mr. Stone** moved to approve the minutes of Monday, January 7, 1980.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**,

Council adjourned.

1. The first part of the report is a general  
description of the project and its objectives.  
2. The second part is a detailed description of the  
methodology used in the study.

3. The third part is a description of the results  
of the study, including a comparison of the  
experimental results with the theoretical predictions.  
4. The fourth part is a discussion of the results  
and a conclusion.

5. The fifth part is a list of references.  
6. The sixth part is an appendix containing  
additional data and figures.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, January 28, 1980

No. 4

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE...President  
MICHAEL PERRY.....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.  
Monday, January 28, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 151 Resolution providing for the issuance of a warrant in favor of Bouquet Construction Company, in the amount of \$6,123.00 in payment for Extra Work furnished for the benefit of the City in connection with the Sidewalk Construction

Various Locations and Other Work Incidental Thereto (Community Development); and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 152 Resolution amending Res. No. 1155, eff. Dec. 2, 1977, entitled "Providing for a Contract or Contracts for Professional Services connected with the design for replacement of the Pennsylvania Avenue Bridge and approaches; and providing for the payment of costs thereof", by increasing the total cost from \$80,000.00 to \$140,167.00.

Also,

No. 153 Resolution amending the Title and Section 1 of Res. No. 1219, approved Dec. 31, 1979, eff. Dec. 31, 1979, entitled "Vacating Chateau Street from Ridge Avenue to a point 145.875 centerline feet southwardly therefrom and a portion of Bank Lane (Shore Avenue) between Chateau Street and Belmont Street in the 21st Ward of the City of Pittsburgh", by adding a metes and bounds description for that portion of Chateau Street to be vacated.

Also,

No. 154 Resolution granting unto the Pittsburgh-Allegheny Chapter of the American National Red Cross, 200 Fourth Avenue, Pittsburgh, Pennsylvania 15222, its successors and assigns, the privilege and

license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of the Boulevard of the Allies in the 1st Ward of the City of Pittsburgh.

Also,

No. 155 Resolution granting unto Allegheny County Industrial Development Authority, 445 Fort Pitt Boulevard, Pittsburgh, Pennsylvania 15219, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Third Avenue in the 1st Ward of the City of Pgh.

Which were severally read and referred to the Committee on Public Works.

**Mr. Givens** presented

No. 156 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$5,287.09 to Boron Oil Co., for emergency purchase of No. 2 Diesel Fuel to be payable from Code Account 1144, Gasoline and Diesel Oil, Department of Supplies.

Also,

No. 157 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$741.47 to Boron Oil Co., for emergency purchase of No. 2 Diesel Fuel to be payable from Code Account 1144, Gasoline and Diesel Oil, Department of Supplies.

Also,

No. 158 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$5,153.84 to Boron Oil Co., for emergency purchase of No. 2 heating oil for Pittsburgh Zoo to be payable from

Code Account 1854, Coal and Oil, Zoological Park Commission,

Also,

No. 159 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$5,366.78 to Boron Oil Co., for emergency purchase of No. 2 Diesel Fuel to be payable from Code Account 1144, Gasoline and Diesel Oil, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Which motion prevailed.

Also,

No. 160 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of purchase by the Department of Supplies of City's fuel needs from such suppliers as may be available to provide those needs, when the federally designated fuel supplier for the City, Amoco Oil Co., is not able to meet the needs of the City.

Also,

No. 161 Resolution amending Res. No. 1141 of 1979 providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (modular style) for the Dept. of Housing by amending Section 1 to increase the total allowable cost and to further specify the code account.

Also,

No. 162 Resolution providing for the



letting of a contract or contracts for the furnishing and delivery of medical equipment (self contained breathing apparatus, oxygen cylinder, etc. for the Dept. of Emergency Medical Services, and for the payment thereof.

Also,

No. 163 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting permission for Superintendent Hyde to travel to Kenil, New Jersey to test and inspect fire hose purchased from Penn Fire Hose Co., at a cost not to exceed \$260.00, payable from Code Account 1134, Miscellaneous Services, Bureau of Tests, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 164 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA, 15236 in the amount of \$338,732.41 in payment for additional and extra water line work furnished for the benefit of the City in connection with the Rehabilitation of 11th Street and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 165 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, by adding a new Chapter 173, EMERGENCY MEDICAL SERVICES FEES which provides for charges by the Department of Emergency Medical Services for ambulance services by residents and non-residents.

Also,

No. 166 Resolution authorizing the

City Controller to create a special revolving trust fund to be designated "EMS" Emergency Ambulance Service Trust Fund."

Which were read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 167 Resolution providing for an agreement or agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof.

Also,

No. 168 Resolution providing for a contract or contracts for the renovation of Arlington Heights ballfield and providing for the payment of the costs thereof.

Also,

No. 169 Resolution providing for a contract or contracts for the construction of the Oakwood Ballfield and providing for the payment of the costs thereof.

Also,

No. 170 Resolution providing for a contract or contracts for the renovation of Dumbar Ballfield and providing for the payment of the costs thereof.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 171 Communication from Glenn Cannon, Director, Department of Emergency Medical Services requesting permission for himself and Messrs. Full and Garretson, to attend National Fire and Rescue Instructors Conference, Memphis, Tennessee, March 23-27, 1980, at a cost not to exceed \$2,100.00, payable from Code

Account 1421, Miscellaneous Services, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Works.

Mr. Robinson presented

No. 172 Resolution authorizing issuance of a warrant in the amount of \$2,710.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of the 3 story Brick and Frame Dwelling located at 228 Sylvania Avenue, Ward 18, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 173 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing regulations under Conditional Use Exceptions for Group Residence Facilities, Group Care Facilities and Institutional Facilities in specified Zoning Districts.

Also,

No. 174 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing certain zoning district classifications on certain properties in the vicinity of BOROUGH STREET; WICKLINES LANE; HARPER STREET; VOSKAMP STREET; VINIAL STREET; ITIN STREET; HIGH STREET; and FIFTH STREET; 23rd, 24th, 26th Wards.

Also,

No. 175 An Ordinance amending supplementing and repealing various sections of Title Eight, Fire Prevention and Title Ten, Building of the Pittsburgh Code.

Also,

No. 176 Resolution amending Resolution No. 418, approved April 21, 1978, effective April 25, 1978, entitled "Providing for an Agreement with the Housing Authority of the City of Pittsburgh to Employ a Housing Inspector to Seek and Locate Suitable Housing Units which comply with requirements of Section 8, enabling the City of Pittsburgh to meet its existing Section 8 Housing Assistance Plan Goals, at a cost not to exceed \$15,792.34 from the 1978 CD Block Grant Funds.

Also,

No. 177 Resolution amending Resolution No. 1557 of 1978 providing for Agreements with various organizations by reducing the total amount allocated from \$60,000.00 to \$53,626.15.

Also,

No. 178 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John S. Lindell for the sale of Block 22K Lot 21 in the 21st Ward of the City of Pittsburgh.

Also,

No. 179 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William E. & Marlana L. Brewton for the sale of Block 22P Lot 308 in 21st Ward of the City of Pittsburgh.

Also,

No. 180 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gladys Law Williams and Ronald Dwaytes for the sale of Block 23F Lots 124A and 126 in the 25th Ward of the City of Pittsburgh.

Also,

No. 181 Resolution amending Res. No. 713 enacted July 30, 1979, effective August 10, 1979, entitled "Approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Giant Eagle Markets Inc. for the sale of Parcel 10A in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24" by adding Parcel 10B-2.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 182 Resolution providing for the issuance of a warrant to Rosemary Pitzarella, Theresa Nassan and Samuel Nassan, in the amount of \$3,500.00, in full settlement of claims for personal injuries, and providing for the payment thereof.

Also,

No. 183 Resolution providing for earned vacation pay for the former City Treasurer for the year 1980.

Also,

No. 184 Communication from Richard S. Caliguiri, Mayor, requesting reimbursement to George Whitmer of an amount not to exceed \$200.00 for travel expenses incurred in connection with trip to Harrisburg, PA, January 23, 1980 to testify before Senate Committee on Environmental Resources regarding impact of House Bill 1840 on cost of disposal of municipal waste and to meet with Senator Romanelli, Atty. General Beister and CDA representatives to discuss certain aspects of Act 511 of 1965. Funds are available in Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 185 Communication from David L. Donahoe, City Treasurer submitting the

report of deposits and market value of collateral security pledged by City Depositories to secure same as of December 31, 1979.

Also,

No. 186 Communication from Richard S. Caliguiri, Mayor, submitting copy of the collective bargaining agreement between the City of Pittsburgh and the Fraternal Association of Professional Paramedics for 1980 and 1981.

Which were severally read and referred to the Committee on Finance.

The Chair presented

No. 187 Communication from Richard S. Caliguiri, Mayor, appointing George W. Jacoby as Deputy City Treasurer effective January 28, 1980.

Which was read, received and filed.

Also,

No. 188 Bond from Firemans Fund Insurance Companies in the amount of \$200,000 for George W. Jacoby, Deputy City Treasurer.

Which was read and approved.

#### UNFINISHED BUSINESS

Mr. Stone:

Mr. President, if I may, if all of the members will look on their tables, I think you will notice a photostat copy of the Los Angeles Times of Wednesday, January 23, 1980. You will note there, the photograph is labeled "Paying a Bet". The Los Angeles City Council members agreed to wear the Steeler t-shirts to a meeting if the Rams lost the Super Bowl. They made good on Tuesday. It lists all of the Council individuals there. The circulation of that newspaper is 1,057,000. I might say that I have received letters from Connecticut, other parts of New England, Cleveland,

Detroit, Phoenix, Arizona, and as well as many parts of California. So, City Council has gotten a lot of mileage out of this one, out of a good bit of friendship between the two respective Councils.

The tall gentleman in the center is the President of Council, that is John Ferraro, he is a former football player and he was a real gentleman when I was there.

**The Chair:**

Good thing it happened in Los Angeles because if it had happened in Pittsburgh our papers would say it was a needless expense.

Was that the front page Bob?

**Mr. Stone:**

Front page, Los Angeles Times, on Wednesday, January 23rd.

**The Chair:**

They respect their Council there. We always wind up making the back page and getting mis-quoted, that is the difference in the two Cities.

**Mr. Givens:**

Did we get any oranges or anything?

**Mr. Stone:**

No, our bet was that they would wear the Steeler button, which they have, those Steeler t-shirts that you see them appearing in, and if you will notice throughout that picture, the Terrible Towel, which I indicated to them on Monday would more appropriately come in handy as a "Crying Towel".

#### REPORTS OF COMMITTEES

**Mr. Stone presented**

No. 189 Report of the Committee on

Finance for January 23, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 12**

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$3,900.00 for renovations at Homewood and Lawrenceville branches, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

**Bill No. 38**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, N.J. 07960 in the amount of \$46,205.35 in payment for installation of a 48" valve on Ellsworth Avenue and providing for the payment thereof."

Which was read.

Also,

**Bill No. 39**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of W. W. Williams Company, 600 Greentree Road, Pittsburgh, Penna., 15220, in the amount of \$648.94 in payment for the repair of two air compressors and providing for the payment thereof."

Which was read.

Also,

Bill No. 42

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Meyers Plumbing and Heating Company, in the amount of Four Hundred Fourteen Dollars and Fifty Cents (\$414.50) in payment for work performed at Troy Hill Senior Citizen's Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 46

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3029, Pittsburgh, Pennsylvania 15230, in the amount of \$1,164.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 48

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$2,240.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of 2 story frame dwelling at 3438 Frazier Street, Ward 4, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 49

A Resolution entitled, "Resolution authoriz-

ing issuance of a warrant in the amount of \$2,420.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of 3 story frame dwelling located at 126 Virginia Avenue, Ward 19, without previous authority of law, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 66

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI, Chapter 181, Section 181.05 by increasing the out of town daily meal allowance to Thirty Dollars (\$30.00) or the amount specified through collective bargaining; and Section 181.06 by changing the rate of reimbursement for employees who use their personal automobiles."

Which was read.

The Chair:

Is there any discussion on the bill?

**Mr. Givens:**

Point of clarification, Mr. President, on this particular bill, dealing with the—primarily what I am interested in is in paragraph 181.06—where it says, “we are now at 17c per mile, provided however, 17c limit established by the PA Act 5179, should no longer be applicable to the City of Pittsburgh and such reimbursement shall be at the rate of 20c” or I guess the Federal Internal Revenue Service. Does anybody know what the Internal Revenue Service is? Is it 18c or 19c a mile? I think I read someplace where it was 18c or something like that.

**Mr. Stone:**

I would assume that that is going to be fluctuating in view of our present problems that is why they choose it that way. A formula as set by the federal standards—that is the way to make it moveable.

**Mr. Givens:**

You know, if I'm in Philadelphia, or someplace that is nice and smooth and laid out, or in Wichita, Kansas, its pretty nice, but when I'm driving through the hills of the City of Pittsburgh and especially Western Pennsylvania, your mileage rate is much different from that of the federal regulatory rate.

**Mr. Stone:**

I think that they are making some territorial changes.

**Mr. Givens:**

Especially in the City of Pittsburgh, mileage is not—you know, in the metropolitan area, major metropolitan area, it seems to be unfair that our people be strapped today with even an 18c ratio which I think the federal government now mandates.

**Mr. Stone:**

The federal government is making ter-

ritol analysis—hotels and other things are all different depending on where you are within the country but I don't think that we can even change this because this comes out of a contract.

**The Chair:**

Hell, if I went away and charged the City 2c a mile they'd say I overcharged them.

**Mr. Stone:**

I'm not going to touch that line.

**Mr. Givens:**

Not everyone in the City is under that binding contract that was my point. And at the cost of gas—

**The Chair:**

I didn't know we were allowed to go away from the City—

**Mr. Givens:**

What I'm trying to say is that it could impose an unfair expense upon City employees who must use their own automobile. With the gas ratio going up as quickly as it is—

**The Chair:**

The Press would probably know, they know more about it than we do anyway.

**Mr. Stone:**

Dick, we can't change that it is a collective bargaining result.

**Mr. Givens:**

I know we can't change it, but that is my concern we can't change it and the fact is, I think it is going to be unfair on our people who are going to be using their own private vehicles, 20c a mile or even 18c

a mile cannot—you'd have to use a rent-a-car to find out what the mileage rate is there, I don't know what it is up to, 30c or 35c a mile.

**The Chair:**

I don't intend to go anywhere in the future, so it doesn't bother me, Dick.

**Mr. Givens:**

I guess the other point I am trying to make Mr. President, is this could impact upon the type of service that the people of the City of Pittsburgh, who work for the City and have to go out and use their own automobile—

**The Chair:**

You're talking about a cent or two cents, Dick—

**Mr. Givens:**

... they are going to limit their vehicles to absolute necessity and thus would cut down on doing certain inspections if they had a more liberal policy as with actual cost, I'd like to see actual cost mileage in actual cost. I know we can't change it but damn it, we should look at this because it could have an effect on what happens in the City and how our people do their job.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

**ONE ABSTAINING (MR. GIVENS)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 67**

A Resolution entitled, "Resolution providing for a contract or contracts with Vision Service Plan of Pennsylvania for a vision care benefit plan for employees covered by collective bargaining agreements providing for the same and for all employees not covered by collective bargaining agreements."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 69**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Jamar Park Business Forms in the amount

of One Thousand and Ninety-Five (\$1,095.00) Dollars for Extra Work furnished for the benefit of the City in connection with the production and binding of the 1978 Municipal Record, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 70

A Resolution entitled, "Resolution providing for the issuance of a warrant to Baskin and Sears, as attorneys for Thelma Morris and the class she represents, in the amount of \$22,500.00 in full settlement of a sex discrimination claim of Thelma Morris on her own behalf and on behalf of all other women employed in the Bureau of Operating Maintenance, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 72

A Resolution entitled, "Resolution providing for the issuance of a warrant to Mary M. Scocco in the amount of \$2,962.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley

**Mr. Robinson  
Mr. Stone**

**Mr. DePasquale  
(Pres't)**

Ayes 9      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 73

A Resolution entitled, "Resolution authorizing the Mayor and or City Treasurer to request proposals and enter into a contract for the management land operation of the City's workers compensation system by a professional claims adjustment and/or insurance company."

Which was read.

Also,

Bill No. 74

A Resolution entitled, "Resolution authorizing the Mayor and/or City Treasurer to establish a 'Workers Compensation Reserve Trust' with a City Depository in accordance with licensing requirement of the State Department of Labor and Industry."

Which was read.

**Mr. Stone:**

I would like my remarks from Wednesday's meeting on Bill No. 73 and Bill No. 74 to be incorporated into the minutes of this meeting.

**MR. STONE'S REMARKS ON  
WEDNESDAY, JANUARY 23, 1980:**

Wednesday, January 23, 1980

**COMMITTEE ON FINANCE**

Bill No.73

Resolution authorizing the Mayor and/or



City Treasurer to request proposals and enter into a contract for the management land operation of the City's workers compensation system by professional claims adjustment and/or insurance company. The cost of the contract shall not exceed \$300,000.00, payable from Code Account No. 44.—(MR. STONE)

Which was read.

**The Chair:**

This is in line with our Workman's Compensation Program.

**Michelle Madoff:**

This is the State Department of Labor and Industry will lift our license if we don't go to—self-insurance license, unless we go, and it's not to exceed \$300,000.00, correct?

**The Chair:**

I will entertain a motion to approve.

**Mr. Robinson:**

So moved.

**Mrs. Masloff:**

I second the motion.

Which motion prevailed.

**The Chair:**

Just a comment, if I may. I think this will work out and save the City of Pittsburgh money the first year at the expense of employees. After the long haul, you'll find out that the lawyers will all take every one of the cases to court, and it's going to cost us money, because part of the way the independent adjusting outfits operate is that they are too brutally sharp and have little concern for the particular person injured. They are going to find out that our employees are going to be screaming like

mad. I just want to caution you on that. I have personal experience of their ability to do that, since I, in my own practice don't deal with them, for what it may be worth.

**Mr. Givens:**

Are you saying, then, that the City employees are not going to get a fair shake?

**The Chair:**

I would suggest we watch it very carefully. At the expense of making it look good that the figure goes down you will find that some injured party is subsidizing it by getting less than they should. John, I would like, with your portion there, that you watch very carefully who is involved in that thing.

**Mr. McGrady:**

John E. McGrady, City Controller.

Well, we do watch them very carefully now.

**The Chair:**

I appreciate that, but I want you to give it your special attention, John.

**Mr. McGrady:**

They get an award, then they get a continued, the life of the compensation award, too. The lawyer gets a fee every month.

**Michelle Madoff:**

Mr. McGrady, don't you have problems, though, with everybody that has a car accident, everybody has whiplash, and everybody can't work? While many of them are legitimate, there are some that are not.

**Mr. McGrady:**

These things are decided by the Law Department. If we want to look at the

record, they keep the record there. They just tell us the award.

**Michelle Madoff:**

You misunderstood my statement. In Altoona, Pennsylvania where they put a quote—my husband would have a fit—chiropractor on the staff, the accident claims of the Refuse Department went down something like 100 percent, or better than 80 percent. I'm just saying that there are two sides. We could save money one way and lose it another, and it may equate.

**The Chair:**

It needs to be said that this Council has never justified, nor will it ever justify, a chronic complainer; but, nevertheless, this Council needs to look for some balance, and those who are entitled to their claim should receive their claim.

**Michelle Madoff:**

I think we all agree on that.

**Mr. Givens:**

Is this a one-year contract?

**The Chair:**

Yes, at least the first year.

**Bill No. 74**

Resolution authorizing the Mayor and/or City Treasurer to establish a "Workers Compensation Reserve Trust" with a City Depository in accordance with the licensing requirement of the State Department of Labor and Industry.—(MR. STONE)

**Mr. Givens:**

I move for approval.

**Mrs. Masloff:**

I second the motion.

Which motion prevailed.

Also,

**Bill No. 75**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Psychological Service of Pittsburgh for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations."

Which was read.

Also,

**Bill No. 76**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 99

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$11,144.35 for emergency repair work made without previous authority of law."

Which was read.

Also,

Bill No. 100

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allegheny Ford Truck Sales, Inc., in the amount of \$575.84 for emergency repair work made without previous authority of law."

Which was read.

Also,

Bill No. 101

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$6,480.07 for emergency repairs to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 102

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,153.07 for the emergency purchase of No. 2 Heating Oil, and for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 190 Report of the Committee on Public Works for January 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 10

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Environmental Resources, in connection with drilling tests in the 19th Ward.

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson** presented

No. 191 Report of the Committee on Planning, Housing and Development for January 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 55

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A20 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to Tolatr Academy to use the existing activity of the St. James A.M.E. Church located on the southwest corner of Lincoln Avenue and Meadow Street, on property identified as Block 125-B, Lots numbered 244 and 246 in the Allegheny County Block and Lot System and zoned 'R4' Multiple-Family Residence District for a Private Elementary School for purposes of Pre-School through the Eighth Grade, 12th Ward."

Which was read.

Also

Bill No. 57

A Resolution entitled, "Resolution approving a form of Contract for Disposition of

Land by and between the Urban Redevelopment Authority of Pittsburgh and the Bell Telephone Company of Pennsylvania for the sale of Parcel D-2 in the Twelfth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 58

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the First Church of God and Saints of Christ for the sale of Block 10K, Lots 303 and 304 in the Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 59

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James J. Robinson for the sale of Parcel 218 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 60

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Paramount Glass Company for the sale of Parcels 58 and 61 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 192 Report of the Committee on Supplies for January 23, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 36

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of filter holders for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 37

A Resolution entitled, "Resolution amending Resolution No. 844, approved September 26, 1979, entitled 'Providing for the letting of a contract or contracts for the furnishing and delivery of a screen printing

press for the Painting Division of the Department of Public Works, and for the payment thereof, by increasing the amount from \$5,880.00 to \$5,950.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

Mr. Stone:

Better get some of that paint that stays on, too.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 193 Report of the Committee on Water for January 23, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 41

A Resolution entitled, "Resolution amending Resolution No. 1350, approved December 30, 1977, amended by Resolution No. 1804, approved October 2, 1978, amended by Resolution No. 563, approved June 21, 1979, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said 'Capital Funds', by decreasing appropriations for Capital Budget Projects WD-78-5 'Advance purchase of Valves, Hydrants, Pipes, Risers and other Appurtenances' and WD-78-10 'Relay Water Lines, Shaler Street and establishing a new line item, WD-78-11 'Installation 48" valve, Ellsworth Avenue.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 194 Report of the Committee on Parks and Recreation for January 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 44

A Resolution entitled, "Resolution authorizing and directing the City Treasurer on behalf of the City of Pittsburgh, to accept funds from the Commonwealth of Pennsylvania, Department of Environmental Resources (DER) for the City's Young Adult Conservation Corps Project, and to create a Young Adult Conservation Corps Project Fund, and to deposit all funds for said program in Pittsburgh National Bank, STF #2; and providing for the payment of expenses in connection with the Young Adult Conservation Corps Project."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

No. 195 Report of the Committee on Public Safety for January 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 47

A Resolution entitled, "Resolution providing for accepting a grant from the Sears-Roebuck Foundation in the amount of Two Thousand Nine Hundred and Ninety-Four Dollars (\$2,994.00) for operation of 'Officer Friendly Program' to be conducted by the Community Relations Section of the Department of Police; providing for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres)</b>

**Ayes 9      Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 196 Report of the Committee on Lands and Buildings for January 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 14

A Resolution entitled, "Resolution amending Resolution No. 248, effective March 14, 1979, entitled: 'A Resolution providing for an Agreement or Agreements for design work and a contract or contracts in connection with the construction of the Sheraden Library/Community Building and providing for the payment of the cost thereof by increasing the amount of funds.'"

Which was read.

Also,

Bill No. 15

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 16

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 17

Resolution repealing Resolution No. 714, approved 6/19/79 for sale of property, 13th Ward, Monticello Street, Block 174-G-34 to Geraldine Boswell for \$250.00 as City cannot give a marketable title as property was acquired from wrong registered owner. Hand money of \$100.00 to be returned to Geraldine Boswell from Lands and Buildings.

Which was read.

Also,

Bill No. 18

Resolution repealing Resolution No. 981, approved 11/1/79 for property in the 13th Ward on Athens Street to Alvin J. and Henrietta Owens for the sum of \$250.00. The wrong parcel was identified for purchase. Hand money in the amount of \$100.00 to be returned o Alvin J. and Henrietta Owens by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 19

Resolution repealing Resolution No. 792, approved 7/5/78 for the sale of property in the 19th Ward in the rear of Tonopah Street to Samuel A. and Theresa H. Bianchi for the sum of \$200.00, for the reason the City cannot give marketable title as it was acquired from wrong reg. owner. Hand money of \$100.00 to be returned to purchaser.

Which was read.

Also,

Bill No. 20

Resolution repealing Resolution No. 510, approved 6/10/77 for the sale of property in the 17th Ward on Jane Street, Block 12-K, Lot 242, to Louis F. Marshall for \$1,000.00, for reason purchaser did not comply with agreement of sale. Hand money of \$100.00 to be forfeited.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9. Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

The Chair:

Before anything else I would like to mention that our Assistant Chief Clerk is back with us, he has been off for some time its so good to see him back and I know we all welcome Bill McCray back. Nice to see you.

Mr. Stone:

Glad to have you back.

Michelle Madoff:

Mr. President, I have several items I think we ought to touch on very quickly. I think the members of Council read in the paper about the death which may or may not have occurred had the paramedics been able to get up the elevator. As you know, Council approved and notices went into the elevator saying "No Smoking, \$300 fine" and in half of the elevators they have been ripped out already and if you notice on the floors, there is dirt and filth and with all due respect, cigar butts and wrappers and what have you. I think in light of the fact that I personally have been stuck in the far right hand elevator on this side three times, was two feet off the floor and had to push like crazy to get out and half the time when I'm in here at night somebody



is locked in the elevator. It ought to be incumbent upon Council so that we don't have another episode like paramedics not being able to use the elevator, I think we ought to consider seriously having some one person who stands downstairs and is sort of in charge of all of the elevators perhaps in a City uniform. Maybe also, from the energy point of view, we would not have three going up at once and three coming down, they could sort of put them on a timer—whatever is needed, that might be looked into but I would like to bring that to your attention and I think somewhere we ought to start thinking about that as correcting the problem.

**Mr. Robinson:**

I would like to give support to Michelle's concern in that area. I think that your point is very well taken, certainly we need to investigate that.

**The Chair:**

Did I hear right, there was a death in the elevator over the weekend?

**Michelle Madoff:**

No, there was a death in the building next door I believe, because

**Mrs. Masloff:**

Court House.

**Michelle Madoff:**

In the Court House because the paramedics couldn't get up the back elevator and they had to walk up a number of flights and by the time they got there the man may have died anyway, but there just wasn't the necessary paramedic services. But I really think that our elevators, number one, should be checked, maybe it would be in order, whose department is that?

**Mr. Perry:**

Lands and Buildings.

**Michelle Madoff:**

Lands and Buildings, Mr. Flaherty, perhaps it might be in order for you to find out from Mr. West when the elevators were inspected and what status and condition they are in because they do stick and they do have problems and we've had now one tragedy that may have been averted—could have been averted possibly.

**Mr. Flaherty:**

Well, was that brought up in the account that appeared in the Press? That it had been due to an elevator?

**Michelle Madoff:**

Yes, they said that was the whole gist of the article. However, I'm not saying that the man died from that, nobody knows, I'm just saying that is something—an ounce of prevention is worth a pound of cure and we ought to look into it, we've had some real problems with these elevators.

Also, with reference to the "No Smoking in Elevator" sign, I would like to see some metal sign that you screw in or bolt into the wall, because they are being ripped off and it is very amusing, but the, I don't know what his title is, but the gentleman who heads up the Bar Association, I see him every day in the elevator with a cigar and he says, "I just lit up", I couldn't go in the elevator because it smelled like cigar, I had to take another elevator and I don't think that is fair. If somebody wants to smoke, I think that is their privilege, they can do it anywhere they want, just not in an elevator. Also, it is very dangerous with new synthetic fabrics, if somebody had an ash on their coat they could literally catch fire and we couldn't help them by the time they got their coat off.

**The Chair:**

By the way, your friend Bill Block smokes pipes on elevators.

**Michelle Madoff:**

Tell him he shouldn't do that either.

**The Chair:**

Next time you see him tell him. It is very offensive.

**Michelle Madoff:**

I certainly will, I think you are right.

On the item before you, I had thought of presenting it as a resolution but I was told that wasn't necessary, it is a matter of making it as a suggestion and I think if I read it it will be faster.

Public notice of meetings and hearings on matters of importance. I don't know if you got a copy Mr. DePasquale, or whether you just got it today.

**Mr. Stone:**

Michelle, let me help if I may. I think the general content of your subject matter here seems to be in order. I think what you are making in this is a form of a suggestion to Mike Perry that he doesn't have to stick to that stereotype notice, you are trying to get something that is a little more noticeable. I frankly don't have and objections to that and I think if Mike needs told that he doesn't have to stay totally with the old legal notices. I don't know that we need a resolution other than that you understand that it is possible.

**Michelle Madoff:**

It is not a resolution, if you take a look we are not doing it—

**Mr. Stone:**

Yes, you are making a suggestion.

**Michelle Madoff:**

As a recommendation and I think it is important to have it in the record and I would like to have the opportunity to read it.

We have all heard complaints from citizens and citizens organizations and I particularly refer to PAGE, recently, "The Council is not providing adequate notice to the public of meetings and hearings on issues of great impact on them and their neighborhoods. The present legal requirement to advertise meetings and hearings in newspaper legal notice columns, as required by the act, does not appear to notify the public adequately on matters of substantial interest."

We are fulfilling all of the legal obligations but I think we must take it a step further to improve communications with the public on matters of importance. Therefore, I purpose that City Council establish a policy for notification of the public of meetings and hearings of Council on matters of significance and the Clerk is so directed, and I think that that is not even necessary, I have talked to Mike and he is very cooperative as usual.

One, that we use display type newspaper advertisements of at least two columns width, will be used as deemed necessary by Council and/or the City Clerk, and two, press releases and public service spots will also be issued to further inform the public in advance. And as you see, I have attached a letter from the Board of Health and the Air Pollution Bureau—they also have the same restrictions as we do, they can go to a legal notice, but they felt it was not fair that on really serious matters they go to display ads.

The reason I am bringing it up in

Council and not sitting down and working it out perhaps privately and with Mike Perry, is that there are some dollars going to be involved here, number one, I don't know where we find the dollars, I will need help from Council. Two, I think that Mike is understaffed when it comes to perhaps needing someone who can write press releases for him and getting these—what happens is that the media, by the virtue of the nature of the media, covers a story, you know, and is a news peg, but not all always and they are not obliged to say we are going to have a hearing on something of vital importance such as the abatement hearings that people felt they had not had sufficient notice and I think we then go to the issue of where does Mike get the dollars and again, that might be something the President of Council would look into, on both those matters, one, where would he get the staffing to write press releases in advance on special things that the President of Council feels are important, or other members of Council along with himself, and that Mike Perry on his own decides, and two, where will the dollars come from for display ads.

Would you handle that?

**Mr. Stone:**

I think we can work that out, but I think the key to it all is if you are going to inform the public, in a better fashion or a better way, I think obviously we should be looking for that.

In a general sense, I agree with your proposal.

**Michelle Madoff:**

And I'm not married to the words or to the how it is done, if you can improve upon it Mr. Stone, I welcome any input from any member of Council, I'm sure—

**Mr. Stone:**

My suggestion would be that you don't

go into the specifics, but stay the way you are, in that Mike has the power to engage in some more demonstrative kind of display ad which would get the issue and the notice more clearly to the citizens and I think that is right, I think the old days, when you had the legal notices—

**The Chair:**

One primary problem is that no matter how large that type is it just seems that they don't follow the newspaper advertisements, I don't know why, there has to be some other better way of doing it because most people don't even read them.

**Mr. Stone:**

I agree. We should try to see that all the citizens are informed, no question.

**The Chair:**

Certainly.

**Mr. O'Malley:**

Mr. President I think maybe on this one item here we can seek the cooperation of the Pittsburgh Press and Post Gazette since they are always so willing to inform the public. I think we can entertain the ideas of asking them to support us on this.

**Michelle Madoff:**

I don't think that is the problem, but the point is if we don't have a public notice going out to them, they don't have a crystal ball. Therefore we need public service spots which is what I have stated.

**Mr. O'Malley:**

Maybe we could have a special section in the papers for public notices.

**Michelle Madoff:**

I think if I hear you right, what you

are saying is that we would ask them when we do put out notices, even legal notices, that they put them consistently in the same spot and people would know where they are. Unfortunately as Mike will tell you, that is not always possible—to advertise consistently on the same day all of the time, we have some problems with that. I think the intent is one that I would like a consensus of do we basically agree in principle, that this is what we want to do. Could we ask—

**Mr. Stone:**

Are you making a motion?

**Michelle Madoff:**

Yes.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Oh, I've fainted.

**Mr. Givens:**

Don't, the paramedics might not be able to get up the elevators quick enough.

**Mr. Givens:**

I would like to make one comment on that. For four years, I think, some Councilmembers have been asking for some type of a board, I don't mean the one we have downstairs in the inner lobby, to make permanent announcements for Council's meetings and public hearings. We have a card-board type wooden—

**Mr. Perry:**

That is what Lands and Buildings gave us when I asked for a bulletin board.

**Michelle Madoff:**

That's like the bathroom I got. Same caliber.

**Mr. Givens:**

We need a permanent one located maybe in either end of the building so people coming into this building can see it, I think it is very important, because the one we have down there is really an eyesore.

Secondly, Mike, we do send out notices to how many organizations?

**Mr. Perry:**

I send out notices, I publicize in the paper, I put notices on the bulletin board downstairs in the lobby.

**Mr. Stone:**

You have to start using cartoons Mike.

**Michelle Madoff:**

I said put it on the funnies page. Are we in consensus to this? Is there anybody objecting?

**Mr. Givens:**

Well, I am objecting to not the intent of this, but I think one thing that would be very important in the legal notice is that we can maybe put the City of Pittsburgh in capital letters and in all the legal notices, as standard right now, that would single out the City of Pittsburgh for those people that want to find that in the legal notice. I think the biggest thing is not the legal notice section, it is finding the City of Pittsburgh legal notices.

**Mr. Stone:**

If we use the daily lottery number it will be more successful.

**Michelle Madoff:**

Mr. President, before we adjourn the meeting I need to ask a very important question on clarification, when you are through.

**Mr. Givens:**

I think we are all in receipt of a letter from Rick Chess, the State Representative on the West End out there in regards to Carson Street and I am to understand that the Clerk is going to advertise for a public hearing on this issue? The traffic flow on West Carson Street.

**The Chair:**

Mr. DeLewiss has done quite a bit of research and has been asking for a hearing and I told him right after the first of the year we would attempt to have it, it is a very serious problem, there have been several deaths and serious injuries in that Carson Street area, so I think we are all quite aware of it.

**Mr. Flaherty:**

Perhaps we could see what the cost would be to have the advertisements in red and blue whatever, in color.

**Mr. Stone:**

Gold and black is what you mean, don't you?

**Michelle Madoff:**

Mr. President, I need clarification on two problems and perhaps Mr. Stone or yourself could help. As you know on Wednesday we were going to move and vote, is that correct Mr. Stone, on cable? Move and vote? Because at this point it doesn't look like we are going to have an extension of even—I would move again—two weeks. Is that correct? I mean are we going to go

from one part of the room to the other part of the room?

**Mr. Stone:**

It is my understanding we have to pass it by February 1st and considering what happens on Wednesday, we may have a recessed meeting.

**Mrs. Masloff:**

Yes, we will meet after the Finance meeting on Wednesday.

**Michelle Madoff:**

Does that mean we don't recess this meeting?

**The Chair:**

We are going to recess this meeting until after the Finance meeting.

**Michelle Madoff:**

Wait, I don't understand the mechanism, the legal mechanism, would somebody, bear with me—

**The Chair:**

We are going to recess this meeting until after the Finance meeting on Wednesday to discuss the Cable TV and perhaps we may even take a vote at that time.

**Michelle Madoff:**

And then we come back here and make final vote is that correct?

**The Chair:**

We also may again recess until Friday, Friday is the deadline.

**Mr. Stone:**

The final vote will be on Wednesday.

**The Chair:**

It should be unless you want to recess again until Friday, Friday in the deadline.

**Michelle Madoff:**

Okay, I just wanted to get the format because we had a hearing scheduled on a matter that I would like to bring to everybody's attention and that we were all very much in favor of the people who are being afflicted—the Fordham Street problem. Do you recall? It was Mr. Perry and another gentleman had built a house and was inflicting mud, and people couldn't use their street and we were all very vocal. Every member of Council was very disturbed at what was happening to these people. I think eight months or a year has gone by and we were told that Mr. Perry would make good and then he came to us to have some townhouses built and as you may recall, I objected and said why don't we hold in abeyance his permit, do you remember that? Let's hold up his permit and not let him go ahead and build anything else until he makes good on the first mess that he made. Well, it appears that that was never resolved and the reason I bring it up is not only to alert you to the problem, people are really in tears. They are not wealthy people, they don't have any money for litigation, I have taken it to Danny Pellegrini. I think we have some liability there only because it is a City problem as well. But the reason I bring it up with relation to the Cable and clarification, is that if we had a Post Agenda for Wednesday, I think that would not be the right time in lieu of what may or may not happen with Cable am I correct in assuming we ought to postpone it a week?

**Mr. Stone:**

I agree, that is twice today.

**Michelle Madoff:**

Twice he agreed with me.

I just wanted to alert everybody to that problem and when we do hear it I would appreciate if everybody who voted to allow Mr. Perry to go ahead and build his other development, please attend that Post Agenda meeting, we owe it to those people. Thank you.

**Mr. Stone:**

Wait, I'm lost here—

**Michelle Madoff:**

We're going to postpone it a week, right?

**Mr. Stone:**

That is not my point, we voted to approve something for Mr. Perry?

**Michelle Madoff:**

Yes sir we gave him the townhouses, remember? We weren't going—

**The Chair:**

He had agreed to right a very bad situation and apparently he hasn't done it and the natives are up in arms as they should be.

**Michelle Madoff:**

We let him go ahead on another development in another area.

**The Chair:**

Unless you see it you could not believe what they did up there. Why they were allowed to do it I don't know.

**Michelle Madoff:**

Thank you Mr. President. Please attend that Post Agenda, these people have been put off week after week.

**The Chair:**

If the Chair may take the prerogative, over the weekend, I think I should call your attention to this—some friends of mine were harassed and I think you should be made aware of it, to the extent, I believe, that some reporter or reporters from the “rag” oops, I mean, pardon me, the Post Gazette, questioned you people in regards to Cable TV and your choice as to how you felt—

**Michelle Madoff:**

What was harassment?

**The Chair:**

R-A-G, rag. So, at any rate, a friend of mine was called by a reporter named Albert J. Neri. Mr. Neri could not locate Mr. DePasquale and he wanted to know from my friends where I was and he was told it was none of his damn business and he got rather abusive with the people in demanding to know where I was and he was going to interview me. I didn't know we were in Russia and all of a sudden on a Sunday afternoon when people are watching t.v. they have to be bothered by some reporter from that newspaper trying to find out my location and my whereabouts.

Well, you know, you talk about freedom of the press and freedom in rights and they have theirs but they deny me and other people theirs. I know they will make light of it and mock me, but I couldn't give a damn less, but I want them to know exactly how I felt about it and I have it in writing to Mr. Block and I think the other guy's name is Craig, and Neri is the writer and if they ever again harass or intimidate any of my friends they are going to have a suit on their hands. And I warn any newspaper in the City if you can't get hold of me, don't try getting ahold of my friends, it's none of your damn business where I am or my friends for that matter. And further-

more I am on record and I am going to say it one more time—I don't want interviewed by newspapers that continually misquote me, I don't want to be asked again to be interviewed, I don't think I can make it any clearer, reporters are still calling me. Maybe they don't understand English, maybe they don't get the message—I don't want interviewed by a newspaper or newspapers that continually misquote and tell lies about me. Tell the truth and you can be quoted and I will be quoted. When you tell lies and are hypocritical, I want no parts of you, but when you go to the point of harassing my friends, you've gone one step too far.

**Michelle Madoff:**

Mr. President, you speak for yourself and I respect that—

**The Chair:**

I'm speaking for me. Eugene P. DePasquale and nobody else.

**Michelle Madoff:**

Certainly, I respect that.

**The Chair:**

I don't care about the attitude of other people, it's their own personal business and I have my own personal opinion, nobody is going to bother my friends on Sunday afternoons as to my whereabouts. My wife doesn't do that.

**Michelle Madoff:**

I understand I was the first one called by a Mr. Neri, and I happened to be home at the moment and he asked me did I know how Council was going to vote. I said I believe personally that if you speak to them, they are going to tell you they haven't quite decided yet, but they are still reviewing it. I expressed my opinion as you have

the right to express yours I had the right to express mine. He just, as I said, called my number and happened to get me at home. May I suggest sir, because I think that if you would just take what I am saying in good faith, and I mean it in good faith, that the only hope the public has of knowing what goes on in government is the media.

**The Chair:**

Who? Now you are in trouble.

**Michelle Madoff:**

Well for good or for bad, from your point of view, I think that the only way the public has access is through television or radio or the news media and I think it is important because they really focus the glare of publicity in many times on the corporate issue and on issues that the public is entitled to know about. Perhaps in your case, you might want to protect your own interest and I say this in friendship, you might want to keep a tape recorder when you are being interviewed, and say, here is a tape of what I actually said. I'm not telling you to do that, I am merely pointing out that the day we say to the media—and I really believe sincerely—that Cyril Wecht will re-think, when he cools down and this whole issue boils over, that he will again start being interviewed by the media because I think without the media, Cyril said today somebody has to die and leave you \$5 Million if you want to get your message out. And I think it is very important that we don't create an atmosphere where, I don't know if it would create an atmosphere, but that we don't ever have a situation where the media, like Russia, doesn't cover what goes on here. Not here or anywhere else.

**The Chair:**

You state that the media is the only

way of getting the truth to the public, then why do they continually lie? The other day when I said we had qualified and capable Democrats who could take over the Treasurer's position, when I referred to somebody in-house, it didn't come out like that in the newspaper, the only thing that came out in the newspaper was that I was against Republicans and I was against George Whitmer because he is a Republican. And that was the last reason I was against Whitmer, I just don't think Whitmer is qualified, but obviously if there are Democrats and Republicans vying for a job and they are all qualified, I'm for the Democrat. I'm not going to say it again, or repeat it again, as I said earlier that is the way it is going to be with me and I don't care who knows it. But they don't print it that way. It comes out like, you saw the cartoon the other day, where the gentleman was complaining to the editor of the newspaper and he said your publisher is stupid and you are stupid and everybody down there is stupid and all that came out in the headline is that the gentleman said stupid things. So, if they take you out of context, they can do a lot of damage and they do it continually. So if they are not going to quote me properly, there is no sense me being quoted. That is the only thing I am getting at, the unfairness of it.

**Mr. Stone** moved to approve the minutes of Monday, January 14, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

**Mr. President**, I moved to recess this meeting and meet again on Wednesday, January 30, 1980 immediately following our Finance meeting which is scheduled for 10:00 A.M.

**Mr. Stone** seconded the motion.

Which motion prevailed.



Pittsburgh, January 30, 1980

And the hour of 10:00 o'clock, A.M., having arrived and the time of recess having expired, Council reconvened and there were present:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasqua'e
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### REPORT OF COMMITTEE

Mr. Coyne presented

No. 197 Report of the Committee on Public Works for January 30, 1980.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 43

A Resolution entitled, "Resolution providing for an Agreement for a Cable Television Franchise in the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Coyne:**

I move to suspend Rule 8 for this committee providing for the mailing of printed copies of this resolution to each member of Council at least 48 hours previous to its

consideration by Council after the return of such paper from committee.

**Mr. Robinson** seconded the motion.

Which motion prevailed,

**The Chair:**

Is there any further discussion on the bill?

**Mr. Coyne:**

Mr. President, I intend to vote aye for Warner Cable Communications for the franchise for the City of Pittsburgh because of the outstanding record of Warner Communications Company throughout the nation. Not only is Warner a financially capable company, but also a very technically able company in the cable communications industry. Warner Communications has broad involvement in the local community and was one of two companies that were recommended by the Mayor of the City of Pittsburgh and the Cable TV Department of the City of Pittsburgh.

I want to take this opportunity to thank Councilwoman Sophie Masloff and before her Councilwoman Amy Ballinger and the members who served on Council's Advisory TV Committee for all of the work that they put forth in providing for the people of the City of Pittsburgh an opportunity to have Cable Television in Pittsburgh

**Mr. Flaherty:**

I am also going to vote for Warner and I also would wish to say that I feel that ATC, Three Rivers Cablevision also had an excellent proposal with their concept of universal access. However, the bottom line was that Warner had the best, the broadest program concept for minority input into the community and when it comes down to rug-cutting time, I felt it was long overdue.

**Mr. Givens:**

I will vote no against Warner Cable

not for the fact that they were not one of the highest selected Cable Communication groups before us, I will vote no against Warner because of how they wrote their specific bid for proposal to the City of Pittsburgh and how that will be interpreted for the next 15 years. I think they have a fine establishment and they are going to be worthy and we are going to have to work with them from here on in. I will vote no on Warner on that particular case and I would like to have my remarks and the remarks of Father Lengwin and Mr. McAdoo incorporated into the record.

**MR. GIVENS' REMARKS  
FROM THE MEETING OF  
WEDNESDAY, JANUARY 30, 1980:**

**Mr. Givens:**

If I might Mr. Chairman, I only heard one person being invited to the table. I would hope that the Superintendent of the Bureau of Cable Communications be allowed to speak.

**The Chair:**

Someone ought to speak for the body as a whole, period.

**Mr. Givens:**

I appreciate that.

**The Chair:**

I question that one.

**Mr. Givens:**

Well, if each director is able to come forward to this table to speak, I would want Brother Emenecker to come up here. I would like to have a dialogue with him.

**Mrs. Masloff:**

We had an in-depth report from Brother Richard and he said all of the information that was put in writing was already brought before us since last Friday

and I have already submitted that. If you have anything you want to discuss with him, take it up with him after this meeting.

**The Chair:**

Wait a minute. I don't think we ought to get into a procedural problem here. I think we ought to proceed as a constituted body and somebody ought to be reporting from that body to us. Now, we ought to start from there.

**Michelle Madoff:**

What is the rule of Council to the rule which relates to anybody coming to the table; does that exempt department heads and does it exempt guests, in this instance Brother Richard who is a department head?

**Mrs. Masloff:**

Yes.

**The Chair:**

I don't think that is true.

**Michelle Madoff:**

Well he is a department head.

**The Chair:**

As I see it presently, I have some reservations as to the technicalities of whether he (Brother Richard) is a staff member of Council since he was appointed by Council.

**Michelle Madoff:**

Brother Richard was not appointed by Council, he was appointed by the Mayor; was he not? What I am saying is that a bureau head should be allowed to come to the table. I don't know what the parliamentary rules are at this point.

**Mr. Robinson:**

Mr. Chairman, it is our prerogative to deny someone the opportunity to come to this table if they are not on the agenda. In this case Father Lengwin is the Chairman and the official representative of the Cable Advisory Committee and if any other Coun-

cil Members don't want to speak to someone else they should certainly exercise that prerogative.

**The Chair:**

What I am trying to do here is get to a procedural matter. The question is whether or not those people who are on a sub-committee should be allowed to sit at the table and I personally think that they need a vote. Judging by what is indicated now and speaking in this particular area, they must be approved by Council. And since Father Lengwin is Chairman of the Committee and it is a sub-committee that is set up to advise this Council, obviously we ought to hear from him.

**Mr. Givens:**

I would like to point out one thing. The people from the Bureau of Building Inspection never needed a vote to come to the table so I think we are setting a precedence here.

I have heard high praise from Sophie Masloff about Bother Emenecker who was the originator of Council's ordinance. If we are to deny him the opportunity to come up here and be questioned by this Council, then I think this Council is reneging on their responsibility.

**Mr. DePasquale:**

I take exception to that!

**Mr. Givens:**

He should be allowed to speak.

**The Chair:**

Wait a minute, no one has the floor! We haven't denied anyone the opportunity to speak here. Mr. Givens, you are premature in your comments. Father Lengwin is speaking on behalf of the Cable Sub-Committee and he is the only one who will speak. Now, anyone have any objections to

Father Lengwin speaking? Hearing none, Father Lengwin please come to the table.

**Mr. Robinson:**

Mr. Chairman, I don't think this issue is going to drop. As a Member of Council who on several occasions has asked directors to remove themselves from this table with a great deal of personal suffering. I think that the issue is very clear and the answer is very clear—the prerogative does exist. If no other Members of Council will exercise that right. I plan to exercise my right if the opportunity presents itself.

**The Chair:**

Father Lengwin, you have the floor.

Father we called you here as a representative on behalf of the Cable Advisory Committee and would like some report from you. Your full name and title.

**Father Lengwin:**

My name is Ronald Lengwin and I serve as the Chairperson of the Bureau on Cable Advisory Committees.

In January of 1969, you appointed 11 of us to serve as an advisory capacity to deal with the issue of Cable T.V. I should point out to you that I believe the committee has been effective, and we have completed the task that we were put in charge to do. During that period of time, we have done more than had been asked of us. I believe we were asked to meet once a month and we chose almost immediately to meet twice a month and we had lengthened our meetings to three hours. During that period of time we have, as an advisory body, recommended changes in the ordinance that we saw fit to pass, such as: the bonding provisions, the request for proposals and especially with regard to meaningful input participation which we developed.

As the model design of community communications, we would service our entire city and we have most recently since

the bids were last received, gone through a period of education to prepare ourselves to review the "Evaluation of Proposals", so we might make this recommendation to you as directed in the cable ordinance. I should point out, as you are probably well aware, that it is still not enough for us to give you one recommended change. We are continuing to recommend rate changes when they are proposed and as I have said to the committee all along: "as difficult as this task is, perhaps the most difficulty still lies ahead and that is in the promotion and development and use of the system".

I will, first of all, review the vote for you. I will give you the majority position but I must point out that although the Chairperson does not have a vote, I announced for the record last night that I was supportive of the majority position.

Also present in the room, if you wish to question him, is another member of our committee, Mr. Garland McAdoo. The Committee had asked him to be present in order to represent the minority position.

The Committee has asked that I read out the names and not just the number of votes. The members of the Committee who voted for Three Rivers Cablevision, Inc. were: James Gage, Dennis Shilobod, William Uricchio, Charles Briggs, Joseph Davis and Hedda Sharapen (6 votes). Those who voted for Warner Cable Corporation were: Beverly Scott, Sherman Wellons, Garland McAdoo and William Friedman (4 votes).

In order to properly represent—present the position, the majority position, I would refer you to the Mayor's letter to put any remarks into context. It is the letter that he has sent to you with his recommendations. It is the final page and he states, "I believe that all four proposals are not equal—that two proposals stand-out as superior in the four most important categories that I described above; namely, Three Rivers Cable Corporation, because of its commitment to service availability and community communications and Warner Cable Corpora-

tion of Pittsburgh, because of its strong minority involvement program". Then, the very important sentence "the key elements, the franchise fee and scope and rates for service, Three Rivers and Warner are nearly equal." So now I believe that we are able to put our comments within the context that the Mayor himself has said. He said that he has looked at this particular report of the "Evaluation of Proposals" from the Cable Bureau. If we go back into his letter we can see how that is substantiated on Page 7. He is talking about Three Rivers Cablevision and states that "Three Rivers Cablevision has provided the firmest commitment to service all residences in the city and the most comprehensive community communications system by far with its 'free of charge' Universal Service option". Then, as he speaks of the minority participation he says, "I believe Warner Cable Corporation provides the most meaningful and beneficial involvement for minorities of all the bidders."

"Although one would take issue with the narrowness of the voting, there is no question that the financial benefits of a Cable T.V. franchise in Pittsburgh will accrue more members of the minority community under Warner Cable's proposal than any other."

He continues in saying that "By providing a significant financial contribution to these organizations, \$5.6 million over 15 years, Warner Cable is clearly assisting in maintaining their continued operation and service delivery." So it is within this context that I would make the following remarks:

#### **The Chair:**

May I ask one question. I hope that out of the four that the Mayor has now narrowed down to two, is there any of the four that are bad, so to speak—assuming that there are three above it? Taking the worst out of the four, which one would you reject if that were the only bid you had?

**Father Lengwin:**

We didn't approach our process of evaluation that way. We are simply looking for the best. There was no discussion to removing any of them for any reason. We had looked at various components and then made our decision.

**The Chair:**

The Committee didn't get to the point where they would have had to eliminate any of the four?

**Father Lengwin:**

No, we didn't get to that point.

**Mr. DePasquale:**

I think that the Mayor clearly shirked his duties! He was to make one selection—not two or three or four! By doing that he caused all of this confusion. He should have come up with one recommendation, that's all! I thought that was the job of the committee, to make an evaluation and then go to the Mayor and then ask him to come up with a recommendation of some sort. It is ridiculous to come up with more than one recommendation.

**The Chair:**

I didn't want to open it any further than that, let's go back.

**Father Lengwin:**

And at the same time you will recall that the remarks by the Mayor to our Committee—I believe it was on March 20—was that "We are looking for a cable system with more than simply better reception and pay T.V. and just to speak of a cable system in the City of Pittsburgh as an electronic component of Renaissance II, but rather one that would affect the quality of life in the city".

There were basic philosophical services that were received by the City, especially in

terms of how the system will service the people in this city, or how the people in this city will service the system. Will we become slaves to technology or will we use the technology to serve human needs to improve the quality of life to promote unity in the advancement of humankind through deeper understanding, through people-to-people communication?

So, the majority of your advisory committee recommends that Three Rivers Cablevision, Inc. be granted the cable television franchise in the City of Pittsburgh because it would best serve every citizen in our city; the poor and deprived, all minority groups as well as the rich and influential. Three Rivers Cablevision is the only company to offer to wire every residence in this city, without any installation fee and without any monthly charge and to receive all locally produced programs. There are ten channels which we could specify for you that involve the governmental channels and other kinds of informatory channels. We believe that with this kind of system that is proposed and designed by Three Rivers, people will be able to depend better on one another because we believe that it is a much more effective way of communicating people-to-people rather than people-to-button.

As one of the components outlined in Warner Corporation's proposal which is the "Qube" system it is a form already in use which will not contribute to an already fragmented society. Until it reaches all residences without exception and until it becomes an economically sound business enterprise, we would point out that every citizen would benefit by it; no one would be excluded by the technology. Everyone could receive more information from government, from education, from neighborhood communities without any monthly charge, without any installation charge and every citizen can benefit by it in the sense that the mechanics are established to actively involve the communities and the citizens of our city. This is stated in the stack of policies on the use of the system.

When we talk about community com-

municipalities, Warner is controlled by the company. When we talk about community communications, Three Rivers establishes a non-profit local programming corporation. Whenever we talk about meaningful minority participation, which has been one of the concerns that has taken up a great deal of our time, we see that on the committee here was a difference of opinion or a difference of determining what does one mean by "meaningful minority participation"? One must decide whether that is established through the possible funding of certain groups as Warner does, and I would refer back at that point to Page 9 of the Mayor's letter where it says the monetary benefit will be given to 17 organizations in the city. The question was raised, why these 17 when there are so many organizations in our city? Why are only these 17 chosen? Then as it states later and as I read previously, "they are entitled to 20 percent of the total projected net income, an amount equal to \$5.6 million over 15 years" that is to be given to these groups to maintain their continued operation and service. It is at this point—why again just these 17 groups? Is this the purpose of granting a cable franchise to copy community groups in existence, or when one looks at the meaningful minority participation, does that take place through voice and operation of the cable system as is specified in the Three Rivers proposal? Again, the system allows every citizen along our streets, every residence in our city, to be wired into this system to promote unity and understanding, a system which allows everyone to participate, not at the expense of minority involvement but with the involvement of all minorities. No one is too poor to receive it and I think that would reflect the sentiment of the majority position of your cable advisory committee.

**The Chair:**

Are you going to go into the minority report? From what I can see, shouldn't someone from the minority make a statement? Father, is Mr. McAdoo here?

Mr. McAdoo, do you think it is important to explain the minority position?

**Mr. McAdoo:**

Garland McAdoo, Jr.  
3125 Brackenridge Street  
Pittsburgh, PA 15219

I can make a comment if you wish.

**The Chair:**

Does anyone have any objections to hearing that? Hearing none, Mr. McAdoo you may proceed.

**Mr. DePasquale:**

If I may, I approve of no other speakers.

**The Chair:**

We still want to hear from the committee. Apparently this is a separate committee. Mr. McAdoo, you have been called here in a representative capacity from the Cable T.V. Sub-Committee to express the views of the minority group. Okay, explain the minority position of Cable T.V.

**Mr. McAdoo:**

Thank you for the opportunity. The Committee basically considered all four companies and then narrowed the vote to two companies. The minority position on the committee came as a result—I assure you—a very agonizing consideration. All of us appreciated the fine attributes of Three Rivers Cablevision. We liked its minority ownership structure. We thought it was good sound business practice and we thought it was a kind of structure that many of us have hoped for and wanted for a long time and in this particular company we could see that kind of structure. We liked Three Rivers' community involvement which provides for in the development of policy of the corporation. Our agony came over the distribution of proceeds from the operations. We were faced with the decision of whether a community group should receive these proceeds or whether they should go to shareholders. It was a decision that was

very difficult because most of us know the shareholders that are involved in Three Rivers and we know the organizations that are involved with Warner.

I think I speak for all of the people—we are absolutely confident that the shareholders of Three Rivers are good business people who would not only promote the interest of the minorities in the company but would re-invest and use whatever funds that they would acquire for other minority business interests which would help the minority community overall. We thought it would be difficult for us to deprive, as it were, the community organizations of a source of funds. As I say, most of us had, and seven Members of Council would probably have, a four to three (4-3) vote in our heads—it was very difficult. I personally feel, and I think it is shared by other members of the minority—I must add that we didn't get together and discuss this and vote for his or her choice. We didn't get together and vote to give Council time to make a decision, but we feel that these companies are very good. We were not sure of the criteria that was used to select the 17 organizations. We also feel that they would benefit by our vote so therefore, if we had to air to the public, we felt we aired in that direction. However, I will again say that your vote for either company would be acceptable to myself as a minority person. I think either company will bring a great deal of benefit to the minority community and I think there are attributes that you must consider in terms of service that the companies have contractually promised to provide and I think if you do that you will make a wise decision.

#### **The Chair:**

Did any of the parties in the minority position have any objections to any of the four? In other words, would you—rather than take them—I mean, are we choosing the best of those available rather than the lesser of evils?

#### **Mr. McAdoo:**

From the minority viewpoint we got it

down to the companies that have offered the highest percentage of minority involvement. Three Rivers, through its share ownership plan which we thought was superior, combined the two companies that didn't receive any votes, okay. The minority and female I might add, Three Rivers had substantial female ownership in this package. They have 20 percent local ownership package which includes 15 percent total minorities and females. Thirteen percent of that strictly minority section, one person happened to be a female. So my conclusion is that the other companies didn't reach same level. Allegheny Cablevision was close with ten percent ownership packages. However, the ownership was the corporation which is not controlled here locally.

#### **The Chair:**

Let me see if I am reading you correctly. The both of you seem to have said that on those issues that the Committee in a general sense found important, you differed on where the best value was when it went through, as I understand it. That seems to be what I am seeing so far. You both struck at the same crucial issue, as I am seeing this.

#### **Mr. McAdoo:**

What we had here was four companies, all national companies and the four largest companies in the country. There is no doubt that either one of them could provide technically competent service to the City. I think that is probably the reason that the Cable Bureau, for example, reported last night that it had not used any outside consultation. The decision had to be made on factors that were different than the technical capability. We looked at the other considerations that were written into the ordinance—the community service aspects; the community communications aspect, which the ordinance does not require specifically which company had the best package for that. We looked at minority ownership, which the ordinance does not require which companies had the highest amount or the most significant amount. We looked at how

the company structured their minority involvement with respect to power or control in the company. These were the factors that were determinative, I think, out of four companies that had the technical capabilities.

**Father Lengwin:**

I just want to clarify one of his (Mr. McAdoo's) points. I think that we show where we are at in terms of minority participation. I think Garland was saying that it was not an issue of minority participation or not. We felt that those two companies could be acceptable.

**The Chair:**

They did address themselves to the minority issue.

**Father Lengwin:**

He said that either one of them could be acceptable, but there are different ways. I am saying the majority point of view recognizes that, so it is not an anti-minority position. I just wanted to clarify that.

**The Chair:**

I think that is coming through.

I don't know what else we have here as far as speakers are concerned. You are indicating that you want another speaker.

**Mr. McAdoo:**

Maybe the Council had some other questions and answers of Father Lengwin and myself.

**The Chair:**

I am going to get to the questions and answers as soon as I finish the next question.

That represents as a composite in representative capacity, majority and minority positions. Is there anything else that you

want to hear before we go into questions and answers from these two?

**The Chair:**

Apparently not. Then we will take the questions first for Father Lengwin.

**Michelle Madoff:**

Father Lengwin, isn't it true that one distinguish between percentage, and I think that is what Mr. McAdoo said—one had a greater percentage or lesser percentage; albeit one gave it free? At first I thought maybe that wasn't the right thing to do from a business sense. But on reflection I thought, well how super! We are not only spreading the minority involvement, but we are even giving it away for nothing. It depends on perspective. But isn't it true that if you really look at meaningful versus percentage, that maybe indeed one ought to consider TCI, which I believe is Allegheny Cable Vision, with the Courier which certainly has impact on the black community; on the fact that they went ahead before the contract was awarded—win or lose, and started a school to train minority people particularly in the cable field to create jobs?

That goes to the big issue of jobs. I wanted to say this, Mr. Stone, and I will say it at this point. It is unfortunate, and I don't believe it was intentional, that only five members were able to be here the last two nights to hear from the Advisory Board. The reason I will object to anyone else, and it goes to my question, particularly Brother Richard coming to the table, is because if we do that we have an obligation as members of this Council to have other people who were granted five minutes each last night—the other companies, to express their point of view. Their point of view was that they felt the interpretation was, at best, slanted. Perhaps not the evaluation. Perhaps someone outside might grant it who didn't come from—and Brother Richard and I have agreed that we won't use the word biased, we will use perspective. I just question that that really is the gut of the issue.



My own personal interpretation is one of when you invest in a stock or you invest in a company, you just don't go with what is on paper; you go to the integrity and the parent company.

I question again, isn't it really true, and perhaps I address this to Mr. McAdoo; that you could say that there was really meaningful input on the part of Allegheny Cable, in the sense of having the school and already having the Courier for a long time a part of their operation—not since we have put out RFP's? It may not be percentage, but it is meaningful.

**Mr. McAdoo:**

Well, first of all Allegheny did have a meaningful percentage. You just can't discount 10 percent real investment from a business person as not being meaningful. That is meaningful. The company, primarily controlled by an individual, has put capital at risk with the company. Obviously it has faith in it. Allegheny also saw the propriety of committing itself early to a training program, putting money into it not knowing whether it would get the contract or not. It was a significant amount of money and a time commitment beyond, say, today's vote. So yes, that is meaningful. I think anytime people are willing and able to put money at risk, they have confidence in the company. There is no question about that.

**Michelle Madoff:**

What I am saying is that you can't weigh a pound of feathers in value against a pound of gold. I think that when you take percentages, I think that is slanting. I wanted to express that view, for one.

**Mr. Coyne:**

Father Lengwin you pointed out that one of the strong features of Three Rivers was that you were going to be able to go into every household within the boundaries. How does that differ from any of the other cable companies?

**Father Lengwin:**

It differs in the sense that nobody else, I should not say nobody else—there were two companies that proposed a similar kind of service. One was Community Communications. However they had an installation charge for that service. So the uniqueness comes in that Three Rivers is the only company to provide that service without any installation charge and without any monthly service, and to guarantee it into every residence in the City. There is no other place in the country where that has been proposed. There is no other system in this country that has such a system that allows for the full and equitable participation of the citizens and that is every citizen, within the City.

**Mr. Coyne:**

I would like to hear from Mr. McAdoo.

**The Chair:**

On the same issue?

**Mr. Coyne:**

Yes.

**Mr. McAdoo:**

That certainly is a strong point in favor of Three Rivers. Of course if you are concerned about the minority people in the community, one of the things that all of us are aware of is that a number of the minority people are amongst the poor people. Certainly it is attractive to have a free service which brings in the basic things that cable is intending to do, and that is the community communications provisions. So in that respect, the Three Rivers Corporation certainly has a minority benefit that is not in the Warner proposal.

**Mr. Coyne:**

I have one other question for Father Lengwin. One of the strong features of Warner, as I see it, is the Qube ability in

that feature of the proposal. You indicated that on the other hand Three Rivers will be able to be in touch directly with people, as opposed to pushing a button. I wonder if you would elaborate on that?

**Father Lengwin:**

First of all we must look at the Warner proposal. They project that 11 percent of the citizens would subscribe to that level of service. It is the highest level of service. It is a kind of technology that allows the viewer, as it were, to speak back to their television set. It allows them upon the question on the screen, to vote yes or no—to push a button so that a tally of votes can be gotten.

We are saying that that is fine. That is a very interesting technology. But the Three Rivers technology system has the capability of a split screen, where you could split the screen and have people talking to one another. So it becomes people to people, rather than just button response.

**The Chair:**

While you are answering that, how do you get the multitude of the results? If you go person to person you are one on one, as opposed to a button thing that gives a quick count, as I see it.

**Father Lengwin:**

The computer, I believe, scans the system every seven seconds, and has the capability of knowing what television sets are turned on and not turned on.

**Mr. Coyne:**

That is from the Warner standpoint. I don't think that is what the Chair is addressing himself to. He is talking about that you indicated that Three Rivers will have two individuals—

**The Chair:**

It has a talk show kind of system, if I am gathering it.

**Father Lengwin:**

We could have a picture of City Council here (indicating) and a picture of a community group speaking to one another, and everyone else watching that.

**Mr. Coyne:**

That doesn't compare with the Qube system.

**Father Lengwin:**

No. They are totally different. We are trying to compare apples and oranges. I agree. At my very beginning I said there is a distinct philosophical difference. We are not comparing two of the same thing.

**Mr. DePasquale:**

Mr. McAdoo, in regards to the Post Gazete and their 30 or 40 percent interest in one of the cable companies, did anyone on this committee recognize the conflict of interest? I am going to help you and say what I meant by conflict in interest. They are now controlling a newspaper in the City, and then they want to control cable T.V., to the extent that they are now telling us in editorials what to eat and where, what to wear and where to buy it, what to vote and for whom to vote for, and also they are continually coming out with editorials in regards to slanting it the wrong way towards people who are not given the right to defend themselves. With a newspaper like this, you are telling me that nobody recognized this conflict of interest? Nobody? It will even tell you what shows to go see and where to go see them.

**Mr. McAdoo:**

The question did come up and the committee did have some discussion on it. It wasn't a long discussion, but it was clearly a matter that some committee member, and I forget exactly which one but I think perhaps Mr. Schilobod brought up, and the rest of us were aware of. It was clearly pointed out in the Cable Bureau's evalua-

tion, as well as our own ability to recognize it just as you have, sir.

**Mr. DePasquale:**

I personally think they never should have even been considered. Period! It was a definite conflict of interest from the start. I resent a certain Councilmember here today saying that there wasn't and trying to point out the great feature of that company.

**The Chair:**

The issue was, was there any conflict as opposed to a news media having also a cable T.V. input. You have addressed it, and I think you want to answer that question, Father Lengwin.

**Father Lengwin:**

Yes, I can address it by pointing to the cable evaluation. That item is covered in the third paragraph on page A-10, where it explains that the FCC rules are not applicable in this particular case. Although there has been a concern, as is stated here, that rules have been designed to insure vigorous competition among the mass media, to obtain for the public communications media. So it is a concern, but there are no FCC rules that are applicable in this particular area.

**Mr. Givens:**

The fact that Council's Committee on cable communication was together for over one year, many members were there from the very beginning, going back three and four years. The fact that the evaluation that the Mayor had taken, and you had quoted in your opening remarks, was limited to only four sections of the evaluation. When I look at the things that have happened in the last two days in the areas that each committee had—each committee had an area of responsibility where two or more of the committee members sat on where

they independently evaluated the tremendous volume of work that had to be done. I might say the words technical and expert were brought out at this Council table previous to this particular ordinance that we are talking about right now with reference to the computer system that the City of Pittsburgh was putting in, where we on this Council must ask for the experts and the technical people to give us the advice that we so need.

The areas that you looked into were availability of cable service, the rate for cable service, the construction schedule, the system design, the ownership and the control, the program, community communications, minority involvement and franchise fees. If I were to evaluate that and come up with a vote, including your own vote; there would have been a seven to four vote. If I would have again looked at Brother Emenecker, who was commissioned as the Mayor's Superintendent of the Cable Communication Bureau, his report so indicated that one company is more outstanding than the other. The majority report, and I say the majority of people who voted for this on the cable communication systems, were such that it was a six to four vote.

In considering all that, and the emotions that I experienced in listening to that cable finally coming down and making that final determination, one statement was made here today that it was kind of a rushed issue at the last minute by the time that the Emenecker report came out and the Cable Committee had to make their final decision. That is not what I heard during the last two evenings. What I heard was that there was on-going dialogue for over one solid year. I would think and hope that this Council, in commissioning its committee on cable communication to do that work, would so take the advice of that committee.

I would have some closing remarks, Mr. Chairman, that I would like to address later.

**Michelle Madoff:**

I think that all four companies are probably the top companies in the country and I am voting for Warner although my first choice, as I told you before would have been TCI because they are a resident landlord and I believe that for many—as a matter of fact they had the least bad to say about everybody which impressed me. But I would also like to have all my comments, all of them, included into the record, thank you and I will vote aye on Warner.

**MICHELLE MADOFF'S REMARKS  
FROM THE MEETING OF  
WEDNESDAY, JANUARY 30, 1980:**

**The Chair:**

Mr. Flaherty.

**Mr. Flaherty:**

In all honesty to Brother Emenecker's report earlier, you said, Michelle, that you were not in favor of allowing him to speak here. Also, that the three other competitors who had not ranked as high, criticized the Brother's report as being slanted and biased. Last night I attended the meeting, and I am aware of how the people on the Advisory Board felt as to if it were slanted or biased. I think it is important that you tell us as a group now, if you feel that Brother Emenecker's report is biased.

**Michelle Madoff:**

Are you asking me?

**Mr. Flaherty:**

No. I am asking either of the two (Mr. McAdoo or Father Lengwin).

**Father Lengwin:**

I would say firmly, no. When anyone looks as an evaluation, one is going to do so from their own perspective. They draw conclusions of course, about someone else's evaluation, that that is indeed what it was.

There were questions regarding the language that was used in one section or another. I do not believe that this committee, in any sense, would want to leave anyone with the impression that it felt as a whole that that report was slanted or prejudicial in any way.

**Michelle Madoff:**

I have to interrupt because we cannot leave this go. There were members of the Advisory Board last night, who clearly stated that.

**The Chair:**

He is asking now for the other's viewpoint. Mr. Flaherty is in line.

**Mr. McAdoo:**

In this respect, I am not representing a minority viewpoint. There were questions by one or two members of the committee as to whether or not it was fair or was it biased. The question came up. The majority of the committee obviously felt that it was not biased. My personal viewpoint was I believe that Richard Emenecker had a certain evaluation to make. It was in large part subjective because of the things that we had to evaluate on that basis. I stated earlier that the technical capability really wasn't at issue. It was other factors, like community participation, minority involvement, etc. These things are things that one person may differ as opposed to another. I am not prepared to say that his report was unfair or biased.

**The Chair:**

I will go to you now, Michelle. I think what might be said, at this point and be very apropos, is that when two people agree 100 percent then one is useless.

**Michelle Madoff:**

I think that is a good opening statement. While I believe from my heart and gut that it was a slanted, subjective report,

I will grant that the person making that report did not believe that. I think it really goes to the issue that Mr. Stone said, we all look at things from our own perspective. I should say that there will not be a distortion at the table for those members who were not here at the last two nights. It was not just questioned that the reports were biased or slanted—

**Mr. DePasquale:**

Those members didn't come because they didn't want to disrupt that meeting. They had a job to do—

**Michelle Madoff:**

I have not accused anyone of deliberately not being there. I just want to relate—

**The Chair:**

That's enough.

**Mr. DePasquale:**

I heard enough.

**Michelle Madoff:**

You haven't heard enough because I have enough votes and I have enough right to speak for the people who I represent.

**Mr. DePasquale:**

Who do you represent?

**Michelle Madoff:**

I represent 78,000 voters, Mr. DePasquale.

**The Chair:**

Hold on! Michelle, you have the floor and nobody else does.

**Michelle Madoff:**

I think it is important, for whatever

reason the people chose—they have the democratic right, and they may be more right than we were in attending, they may have had better reasons to not attend; but I think it is important to relate that there was a definite sentiment on behalf of a number of people on the Advisory Board—a granted minority number it was not the majority, that indeed the report was slanted. They went on to list the items in which it was slanted. I would like to relate some of them.

First of all, the question of pornography. I personally did an investigation on that end only because of something that I heard inadvertently. I passed out copies to everybody. I don't know if Mr. Stone got a copy today, but I have one for you, sir. I gave it to the Advisory Board, for you five members who weren't here. Of all the four companies we have, I think three of them have some involvement in either showing X rated movies which you pay for in the case of Warner. But in the case of ATC in New York, which is the parent company of Three Rivers, they haven't shown—and I didn't talk about it before I alluded to it but didn't talk about it until I had it notarized; such things as spermathon—where some woman tries to break the Guinness Book of World Records, with 85 men; and the Ugly George Show has some woman for hire who would cross her mammary glands, etc., etc. I am not condoning the First Amendment. To me a stack of smoke is pornographic if it is emitting carcinogens. But when you take only one company and say that they have been indulging in pornography, and don't point out that in ATC in New York on their Manhattan cable you don't even make a conscious decision if you want to be kinky, and sit around your Christmas dinner with your turkey and watch a girlie show, that is your decision. That is your prerogative. That is the First Amendment. But your children in New York can just go and turn the dial, and they see a spermathon. I thought it was important that that pointed out a certain bias that we talked about pornography in only one case, and not in others.

Let me give you another bias.

**The Chair:**

Michelle, in fairness, on that one thought, would it not be wrong for this cable group not to have brought that subject to light since it is of concern?

**Michelle Madoff:**

Absolutely, Mr. Stone.

**The Chair:**

So however they do it—

**Michelle Madoff:**

But they only did it on one company, sir, and not on the others. They forgot to mention the teleprompter interconnects with ATC in New York.

Let me give you another distortion. With the young woman who claimed, and I believe justifiably, that she had great expertise in cable and in television; stated—and she addressed it obviously to me when she said, “Huh! Push-button is only technology servicing people, and that isn’t the humane thing.” What if you put on Qube, do people want clean air or do they want jobs—vote for that. But that is not the way it happens. I would not have known about Qube, and frankly I have some great concerns that I have discussed with Mr. Robinson about invasion of privacy, had I not educated myself about Qube. One of the ways I did that was I received a telegram—I guess from Warner, to watch 20/20 and to watch the Donahoe Show. Donahoe has sometimes credibility. I watched this and I have to tell you that I was enthralled. It doesn’t work that way. You don’t say do you want clean air or do you want jobs. Perhaps you have four hours in advance, where people from the health divisions talk about carcinogens and people getting cancer, and the union people talk about the job aspects and not being held ransom. Then the industry talks about the economics. You get a broad perspective. Then

you vote. To me, sir, that is really participatory government at its best. I want to put that in perspective.

Last but not least. We talk about freebies and we talk about connecting everybody for ATC and give everybody the right to have a better sense of what goes on, particularly people who are disadvantaged. However, if you go to the Mayor’s letter, when he addresses teleprompter, he says, “...and my concern about the rate structure as of before the correction was, I worry about the financial stability of the company.” I suggest that there is no such thing as a free lunch. If indeed we have a recession, can that company remain financially viable if they are giving everybody the connection? I question that. I have a right to question.

I would also like to make one closing statement. I resent what Sophie Masloff has been subjected to by the companies. I think it ought to be here on the table. Sophie and I have had our differences, but that is our business. I was subjected to it yesterday. One company, as I walked by, said out loud and addressed to me, “Well, with a seven to four vote, nobody would ever dare to overturn that mandate, or we will be in court for 15 years”. Worse was said by companies to Sophie. I turned around and said, “I don’t appreciate the threats. They don’t sit very well with me.”

**Mrs. Masloff:**

Mr. President, it is with a great deal of joy and relief that finally we came to this point that we are going to have a cable system for the City of Pittsburgh and I can tell the City on the street that yes, we do have a cable franchise and we are moving. I will vote aye on Warner Cable.

**Mr. O’Malley:**

Mr. President, I do not feel that when this City Council last year, passed the ordinance with this section on minority participation, that they meant for only a few individuals to make a great deal of money.

I felt that they wanted a broad spectrum of minority participation to share in the benefits of Cable. This benefit is most evident in the Warner proposal. Rather than economically benefiting a small number of investors, the whole of the minority community benefits. If the role of government is to protect those who can least protect themselves, then Warner is the clear choice for it provides both programming input and economic benefits precisely to those who can least obtain either of these commodities themselves, therefore I will vote aye for Warner.

**Mr. Robinson:**

Mr. President, in voting yes, I would like to have my comments from the previous meeting recorded in the public record.

**MR. ROBINSON'S REMARKS  
FROM THE MEETING OF  
WEDNESDAY, JANUARY 30, 1980:**

**Mr. Robinson:**

Mr. President and Members of Council, I would like to share what I believe are several relevant observations on the proposed cable communications system for the City of Pittsburgh.

Since 1973, when I served on City Council's original Cable Television Advisory Committee, chaired then by Councilwoman Amy Ballinger, through my association with the Cable Communications Group, Inc., as a founder and vice president and as a member of the Pittsburgh NAACP Subcommittee on Communications, I have been intensely and substantively concerned relative to the development of and operation of a cable communication system in the City of Pittsburgh. Now, as a member of this Council and a partial drafter of our cable ordinance, Chapter 45 of the Pittsburgh Code, I am encouraged that this City is closer today than yesterday to realizing a fully operating up to date cable system. I perceive that the people of this City want cable, and want it now. Now, without further delay or evaluation.

The four proposals under consideration by this Council while representing different approaches to perfecting the basic technology of cable communications, will provide Pittsburgh with a cable system to address the need for a high quality operation and the desire for better reception and diversified programming—the need and desire of Pittsburghers, as I understand their need and desire.

The Mayor has recommended two potential franchisers, and the Cable Communications Advisory Committee has recommended one. We must choose among these alternatives or choose an alternative of our own.

I can attempt to adequately determine the best system for the City, I have evaluated the proposals, carefully considered the Mayor's recommendation and that of the Cable Communications Advisory Committee. Based upon a legal as well as non-legal criterion, and also sub-dividing that criterion into the two following areas, the cable ordinance and legal agreements, and public policy statements both public and private, I believe I have arrived at a means by which I, as a member of this Council, can adequately assess which is the best system for the citizens of this City.

Again, all systems would seem to be adequate in providing Pittsburghers with a quality system and addressing their basic need and desire. As the prime initiator of Council's concern to provide the broadest possible opportunity for minorities and women to substantially participate in the system, I would like to indicate that in Chapter 425 of the Pittsburgh Code, and also in the request for proposal and in other relevant and applicable legislation, the issue of minorities and women is well addressed. In considering the issue of their involvement, I think it is a moot question, and that it has been addressed early on in the process, where I think it aptly should have been addressed. When I indicated to this Council that I felt that we should consider the participation of women and minorities to have some value and to include

them as "valuable consideration", I was precisely trying to avoid a process by which the issue of the involvement of minorities or women would become an afterthought. That issue is addressed, I think, adequately in Chapter 425, Section 17, Part C, where minority ownership is not mandated, but presented in such a manner that competitive bidders could make choices based on their own needs, etc. It was at the option of each cable operator to tender that type of consideration if they so chose. That is the American way, and that is the way that I personally felt we should proceed. Again, I consider that issue to be moot. I evaluated the involvement of minorities and women to be unique for each company, and different for each potential company; yet substantive enough to be considered equal for the purposes of my evaluation.

**Mr. Stone:**

Mr. President, I likewise would like to have brought forward my comments from the Committee meeting. But, I don't think that the City of Pittsburgh has ever been as well served as they have in this particular instance. I think everyone who has been involved has done an admirable job. From the two Councilpersons involved, Amy Ballinger and Sophie Masloff, they have done an excellent, outstanding, leadership job in that department and I think we owe them, from this Council, a debt of gratitude and the citizens of the City of Pittsburgh owe them, indeed, a debt of gratitude.

As far as our Cable TV Sub-committee, I think their work was exemplary. How could we have gotten such a tremendous, probably one of the best and will be a sample t.v. ordinance in the country as we have it. We have been able to eliminate those fly-by-nights and we will not have risked. My vote today, obviously, is not going to be a negative one, I am not voting against everyone. This is a splendid opportunity for me to vote for what I think is the best of the four, and all of them were good.

I would not like to leave this meeting with anyone feeling, any one who has participated, feeling adverse about their participation. Each one has been in pretty much the kind of "House that Jack built", each have added something to it and we have a beautiful and fine picture at the end of it. I think the citizens of the City of Pittsburgh owe a debt of gratitude to a lot of people who put their heart, their time, their dedication and ability into giving Pittsburgh its finest capabilities in Cable TV. I will vote yes on Warner Cable.

**MR. STONE'S REMARKS  
FROM THE MEETING OF  
WEDNESDAY, JANUARY 30, 1980:**

**The Chair:**

If I may, at this point I would like to just make a few comments. First, in each organization or individual having their particular part in what I consider a long series of steps where I think each one has acted admirably, I think each one staying within their particular position, in the long run might cause us all to rejoice and maybe be singing "Glory Hallelujah". In this particular aspect of it, let's look for a moment in cable T.V. I hope we don't lose it in the last moments that we now have. It started with Am' Ballinger, and capably handled since by Sophie Masloff. We set up a committee to help. That committee has been helping, as has been indicated by Father Lengwin. What you thereafter did was with our City Solicitor. You came through to this Council with an ordinance. From time to time you amended it not to dilute it but rather to improve it. If there had been in that early stage any majority or minority position, I am not aware. I do know one thing—whatever was done with the ordinance, it was to upgrade it and improve it so that the City of Pittsburgh, if nothing else, was getting its minimum requirements.

Relative to the bonding issue, it is probably the most severe that we have seen in the country. Nevertheless, that bonding requirement was reduced somewhat, but nevertheless still kept substantially high, re-



quiring a substantial level of performance. By chance, it did eliminate probably hundreds of cable T.V. providers. We got down to four. Having those four in your specifications that you have indicated, you listed a whole litany of particular things you thought were important to this particular city.

I think as far as the citizens of the City of Pittsburgh, maybe the only thing they wanted was really a better view. They wanted to get the cloud out of their picture so that they could see what was on what they had.

Nevertheless you have gone beyond that step. I think it is much like buying an automobile with a lot of extras. I think that is about where we are at the present time. We are adding this factor, that factor; one is better here, one is better there; this one has some pluses as opposed to this one here. When you take all of that into consideration, I don't think that there is anyone who couldn't take any one of the four proposals and find some fault with it compared to some of the other proposals. I think it would be faulty not to do that. I think, as I indicated earlier, when two people totally agree, then one is useless. This has not happened at any time with your cable T.V. group.

I think that your final vote is also an asset to the City in the sense that it shows that you are getting close, and by virtue of that elimination, trying to help City Council do its job, which is in the final decision to make a decision. This Council can't shirk from the responsibility that they have to vote and make the final decision. They have to get as much input as they can. If they have not, then that is wrong. Getting the input is essential. I think this Council has attempted to get the input.

Relative to some of the specific things that have been mentioned about certain groups getting certain things and others not, I don't want to go into this deeply. As I look at some of those that were brought up, there was brought up something about the various religious groups—some are in,

some are out. That is one portion of a collection of things that maybe need some straightening out eventually. Nevertheless, it does show in every proposal that there is some good and there is some bad. If you recall, very candidly I asked the majority and the minority position—would you have eliminated any of the four. Both of you very candidly and very forthrightly said that there was no reason to eliminate any of the four. This means that this Council has today the ability to vote for any of the four. Which means that beyond that, that we have at least gotten our level of performance high enough that we can all be gratified no matter which of those four that it is. A pursuit for the best, I think, happens to deal with what is in the eyes of the beholder, so to speak. We don't put a graduation of one to ten on this particular subject and one to ten on the others. We are bound to have some differences of opinion.

I would like to respectfully differ with my colleague, Mr. DePasquale. I commend the Mayor of the City for not making the sole decision. I think it was a good one to make. The committee itself made eliminations. They brought it from 100 to probably four. The Mayor brought it, in his opinion, from four to two. This Council has to eliminate and make one. I see that everybody in this whole collection of things has done what they are responsibly required to do.

I would like to be one of the first to say to everyone who has had anything to do with cable T.V. up to this point, this City owes you a sincere debt of gratitude for all of your performances—those who said what we might have wanted to hear and those who did not say what we might have wanted to hear. That was essential in the whole structure. When someone makes a complaint, the other parts will brighten up their act, and it may be in the final analysis, a general good to the City of Pittsburgh.

As far as the Advisory Committee's decision coming now to us as six to four,

that again shows that we have in these two a close issue. This Council has to resolve it.

As far as I am concerned, I think that unless there be any other questions, it is time for this Council to now exercise its prerogative, and that is the intestinal fortitude to vote.

**Mr. Givens:**

Mr. Chairman, I had asked to make a final summation.

**The Chair:**

You may.

**Mr. Givens:**

Thank you.

**The Chair:**

Dick (Givens), let me just say one more closing thing. I would like to say at the outset, relative to the cable T.V. provider that went to court; as I viewed their proposal, it was sweeter with the footnote in than the footnote out. So for me, if you remove that benefit to their cable presentation, you have eliminated at least my belief that we should consider that particular cable T.V. as being one of the best of the four. So that there be no question on that particular aspect by reducing the benefits that you do provide, you obviously reduced the consideration for your proposal.

**Mr. Givens:**

Mr. Chairman and fellow Councilmembers, I would like to reiterate just a little bit that each Councilmember had an opportunity to select a member to sit on Council's Cable Communication Committee. Some of us had more than one selection. We must consider the selection of the department head. It is he who must work with the franchise that we select. We have to consider that the life of this contract is just not for one year. We are binding ourselves to a 15 year commitment to this City. As

you pointed out, Mr. Chairman, the committee vote last night was not a split vote, as some people so indicated by a six to four vote. As I indicated, Father Ronald Lengwin and Brother Richard Emenecker had been able to add their comments and votes, which they did. That vote would have been very obviously, an eight to four vote. I think that weighed very heavily on my conscience when we select a committee to do the technical and expert work, and we have such a pronounced voting, or at least their opinions.

You may say that the committee vote is not binding. We know that that group of people have worked extensively on this project for a long time. As I have indicated, some from one to four years. In viewing that particular committee, I was highly pleased as to how they conducted themselves before the public, and to represent this Council here today. This project has received nothing but praise and honesty from Sophie Masloff for the last three to four years. I asked myself today, how could anyone turn our backs on a committee that we so chose, and their recommendations.

Having listened to the committee for the last two nights, reviewing all the press clippings and all the media coverage, and reading all the minutes of the meetings that numbered about 24, that were conducted by this committee, Brother Emenecker's evaluation, who is the person that is going to have the responsibility on the administration side of the house of administering this cable communication program in the City of Pittsburgh; I believe that Warner Cable, in listening to all of this dialogue, has worded their proposal in such a way that various interpretations could be implied to certain sections. This may present a legal hassle. The language is some cases, as pointed out in Brother Emenecker's report—and he is the one that is going to have to work with these people, is very evasive. An example of that was the excess to all residents. It is a question mark. Warner tried to clarify it, but it is still there.

Bringing up another point, will Warner

show so called adult movies—pornography, as some people indicate to them? Judging from the evasive proposal and this company's past history, this question leaves me most uncertain. You know, that for many years here I have struggled with the adult movies Downtown on Liberty Avenue, and with the adult movies being shown anyplace, and especially with telecommunication where one can either dial or select. The children of the City would be able to see some of that type of smut is something that when I even come up for a vote on cable communication, I wondered if when we are going two steps forward but possibly three steps backwards in trying to control the minds of our children and our young adults as to how they will actively participate in our society. It is something that has plagued me for sometime.

We must remember ultimately that this Council is responsible for the people of this City. We must keep in mind especially the cost that this cable communication is going to mean to each one of us as we buy those various tiers one, two, three and four of the cable communication system. The biggest question in my mind is the legal appraisal of the bid. On just one misspelling, Brother Emenecker spent three days in court.

We talk about this Council and the cable communication franchise giving five percent of their net profits to the people of the City of Pittsburgh. But the fact is, if we are in court continuously fighting the interpretation of language in a contract that is written in such a way that it can be interpreted by the legal people, by a jury and by a judge to mean differently than what it actually means; then I think this is a deep concern that I have, and one that all of us should have. That was taken in total consideration when Council's committee voted their six to four recommendation. They did that with many things in mind, and as I indicated, more than just the four particular areas that the Mayor so indicated. They went into ten major areas. They even went much further than that. That six to four vote, with others with

opinions that have worked and have been highly praised by this Council and Sophie; I feel it almost unconscionable for us to not take that deeply into consideration when we make this vote here today.

#### **The Chair:**

You just reminded me about the point I wanted to make. I am sorry that I didn't remember it before. I want everybody who is involved in this to clearly understand I am not trying to direct it to this issue. I am trying to get a posture position for the City of Pittsburgh since this is the third occasion in which it has come to this Council, at least to me. When you have advisory groups, they are as the word signifies—advisory. We do not delegate duties to them of the right to vote for us. If we do that we ought to telegraph that in advance. When you suggest that they advise, they advise. It is less than three months ago, on workman's compensation, that I sat with eight people who were advisory. They indicated to me, as I got it, that I had to take it 100 percent. Ninety-nine percent was not enough. My answer to that is that in any advisory body, you do what you can to get the maximum return from what you believe to be that. But nevertheless, the final decision lies with the decisionmaker. I do that only to let it be known as far as any advisory group. The final decision, the right to vote, the responsibility to vote lies with that body vested with that particular power.

#### **Mr. Givens:**

I would like to respond to that. Last night when this body did vote the way they did, and many of the people that I talked to indicated to me personally that if I would have known the work that this thing had involved, I would have probably never had volunteered my services. If we do not take the recommendation as you call advisory, this is a committee, not an advisory; this is a committee to inform us intelligently of the technical and legal aspects of this contractual agreement that none of us had the opportunity to look through, I am sure. If we did, then we spent many, many nights

up watching as they did, and reading this information. So I beg to differ with you. If we are to get competent people to sit and advise us, and continue on this particular board or any other board, then we must evaluate what they have to tell us and take that as a great consideration of the time and the effort that they have put into that.

**The Chair:**

This points out that there are still two opinions on every subject. I welcome that, whether it be in agreement with me or not.

I want to close with what I think is perhaps the most important thing. It needs to be said right now. The people of the City of Pittsburgh have waited too long for cable T.V. It is rug cutting time. I now ask the chairman of that particular committee, what is your motion?

**Mr. Givens:**

Mr. Chairman, I asked that Brother Emenecker come up and address this Council body.

I move that Brother Emenecker come up and address this as to some of the technical aspects and some of the problem areas that might ensue if one company is selected over another company. He may be very brief. He does not have to be long. He is the one that has the responsibility for this. Remember that. For us to deny him at least to say what he feels in his own mind and what he has to work with over the next 15 years possibly, I think would be prejudiced to our cause.

**The Chair:**

I was trying to give you that opportunity at the end, before we went into the questions. Apparently you missed it.

His motion is that Brother Emenecker be invited to the table. The Chair's position is, not being a director of the City of Pittsburgh it would need unanimous decision of this Council table. All those in favor of

hearing Brother Emenecker at this time please signify by saying aye.

Okay. We have opposition so it cannot be.

**Michelle Madoff:**

Excuse me, Mr. Chairman. For the record, I am opposed on the basis that they would then have to have the other three companies have equal time. I think this would be unfair.

**Mr. Givens:**

That has nothing to do with the motion.

**Michelle Madoff:**

That is my position.

**The Chair:**

As the chairwoman of that committee, Sophie Masloff, what is your request?

**Mrs. Masloff:**

Mr. Chairman, I move that the award for a cable T.V. franchise for the City of Pittsburgh be awarded to Warner Cable Corporation of Pittsburgh, Incorporated.

**The Chair:**

May I just change your motion if that is the suggestion here? That the Mayor and the Director of the Department of Public Works and the Director of the Department of Supplies, on behalf of the City of Pittsburgh are hereby authorized to enter into an agreement in form approved by the City Solicitor, for a cable television franchise in the City of Pittsburgh.

**Mr. Givens:**

Mr. Chairman, last night at the Cable Committee's vote—Well there are four companies before us. I think we should vote on a company and we should so specify that

company, not just a yes, no vote. They did that last night.

**The Chair:**

I think Mr. Givens' comment is taken. There are four possible companies here that could be selected. Sophie, as Chairwoman, knowing that there are four companies, what is your motion?

**Mrs. Masloff:**

I move that the franchise be awarded to Warner Cable Corporation of Pittsburgh.

**Mr. Flaherty:**

I second the motion.

**The Chair:**

Do I have any discussion?

**Mr. DePasquale:**

Let's have a roll call vote.

**Michelle Madoff:**

If I had said that you would have hit me. Would you please hit him.

**The Chair:**

The Clerk will now call the roll.

**The Ayes:**

**Mr. Coyne  
Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
Mr. Stone (Chm.)**

**The Noes:**

**Mr. Givens**

**Ayes—Eight (8), Noes—One (1)  
Mr. Givens Voting NO.**

**Michelle Madoff:**

I want to make one quick statement. My first choice would be TCI because of their being a resident landlord, and I think their rates that they presented were fair. But because I want to be sure that ATC doesn't get it I voted for Warner.

Which motion prevailed,

**Mr. DePasquale:**

I move to adjourn this meeting, and to reconvene immediately for our legislative meeting.

**Mr. Coyne:**

I second the motion.

Which motion prevailed,

And, there being no further business to come before this meeting, the Chair declared, the Committee adjourned.

**The Chair:**

It is an exceptional and a great day for me because Amy Ballinger and I, in spite of great obstacles and odds, revived Cable TV in the City of Pittsburgh and that is a matter for the record and a matter for history. It was a long, hard fight, Sophie Masloff picked up and did a tremendous job, unfortunately, we encountered hundreds, even thousands of obstacles along the way, and obstructionists. Fortunately, now, the obstructionists are out of the way and the City of Pittsburgh is going to get the Cable TV that they longed for so often, and let themselves be heard so loud. It is just a tragedy they have been deprived all of these years because of obstructionists and I don't think I have to name the obstructionists or go into detail as you all know who they are. Unfortunately, some of them are sitting right in this room or standing right in this room. So, it is with great pleasure that I see that Pittsburgh is going to get Cable TV and I will vote aye for Warner.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Mastoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

Warner Cable Communications has been awarded the franchise in the City of Pittsburgh.

Mr. Coyne:

Mr. President, In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 43 shall be January 31, 1980.

Mr. Stone seconded the motion.

Which motion prevailed,

And on motion of Mr. Robinson,

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, February 4, 1980

No. 5

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY.....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.  
Monday, February 4, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

This is a bit unusual but we will go just a little out of order today. We will have the presentation of a resolution by Mr. Robinson before we commence the meeting. I see quite a few people here and I think you are interested in that resolution. I don't feel you should be bored with a

lengthy Council meeting so if you care to leave after the resolution has been presented and the festivities are over, you may do so. Thank you.

#### Mr. Robinson:

Mr. President, members of Council and distinguished guests. It is indeed an honor to again present a resolution in honor of Afro American History Month, the month of February and it is a pleasure to have so many youngsters here—young people who hopefully will not only remember this history, but who will become a part of the history of Afro American people.

I think in a City like Pittsburgh that is known for all of its ethnic groups and all of its accomplishments, it speaks well of City government when we recognize those particular ethnic groups. I would like to say that earlier this morning the Mayor did issue a proclamation proclaiming February as Afro American History Month and I think that shows the kind of cooperation that we have between the Administration and this Council on behalf of those people in our City who are so worthy of recognition.

I would just like to take a few minutes to read this resolution and then I will request that my colleagues adopt it.

#### Mr. Robinson presented

No. 198 WHEREAS, Afro-Americans have been an integral part of this nation, this state, this county, and this City's history for more than three hundred years; and

WHEREAS, the first week of the month of February has been traditionally designated to recognize their many deeds and accomplishments; and

WHEREAS, many distinguished Afro-Americans made history as residents of our City, such as Dr. Martin R. Delaney, Louis Woodson, George B. Vashon, Henry Ossawa Tanner, Robert L. Vann, Daisey Lampkin, Dr. Alma Illery, Honorable Homer S. Brown, and the Honorable Paul Jones; and

WHEREAS, in February, 1926 Dr. Carter Godwin Woodson, the Director of the Association for the Study of Negro Life and History, launched the celebration of Negro History Week; and

WHEREAS, this celebration has been expanded to a full month of recognition; and

WHEREAS, throughout the nation, distinguished and honored people of African ancestry will be honored during Afro-American History Month.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the citizens of the City of Pittsburgh, shall recognize and observe the month of February as Afro-American History Month.

Mr. Robinson moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed,

The Chair:

Before I call certain individuals up to receive these gold seal copies of this resolution, I would like to say on my behalf, and I feel I speak for Council, that perhaps one of the tragic things that has gone on in this Country of America today, is that we haven't been well informed about certain groups and certainly the AfroAmerican

group and their history, we have been woefully weak in regards to information and data and statistics and maybe something like this will really open our eyes and it will change around at least compared to what it used to be many years ago.

If you please, I would like to have Reverend Samuel George from the Grace Memorial Presbyterian Church come to the podium.

Mr. Robinson:

He may be a little late getting here.

The Chair:

Allright, would Dr. Edna C. McKenzie, President of the Association for Afro American Life and History Incorporated, Pittsburgh Branch, please come to the podium.

Dr. Edna McKenzie, it is my pleasure to present you with this gold seal copy, would you say a few words please?

Dr. McKenzie:

Good afternoon Councilman Robinson and President DePasquale. I have been asked by Councilman Robinson to make a response for the resolution for the Association for the Study of Afro American Life and History and the black community.

The celebration of Afro American History month takes on a special significance for the Pittsburgh community today as in February, 1980, we witnessed hysterical public meetings and demonstrations to resist the federally mandated integration of our public schools which were originally established in the 1830's for the express purpose of diminishing the differences between the various economic and ethnic classes of the American Community.

Horace Mann, whom we all honor as the Father of Education in America had this to say when he campaigned for the education of the poor and working classes. He said, "Education is the great equalizer



of the condition of men, the balance wheel of the social machinery. It does better than disarm the poor of their hostility toward the rich, it prevents being poor".

The purpose of Afro American History Month is to educate the American public about the participation and the leadership role of the many Black Americans in the making of America. Focus on these positive truths will correct much of the gross misinformation which is so pervasive, and help other Americans to better understand why Black Americans refuse to accept less than equal access to every benefit any other American enjoys. Our assessment is that most of the problems of racial interaction are a direct result of the lack of truthful information. Black and white Americans in Pittsburgh, as elsewhere, simply do not know enough about each other to realize that they as human beings have much more in common than in conflict. Pittsburgh has always been and must remain a City of Champions. We do not base this reference to an historical truth on the performance of our super athletes, of whom we are all justly proud, let us recall just a few facts to support this claim.

The founder of the Association for the Study of Afro American Life and History, Dr. Carter G. Woodson, a Harvard scholar, was closely related to the highly respected Woodson family of Pittsburgh whose achievements in the field of education are widely known. The Reverend Louis Woodson organized the first school for Afro Americans in Bethel A.M.E. Church in 1831. Woodson was also a member of the first Board of Trustees for Wilberforce University, an independent Afro American institution of higher learning established before the Civil War.

Pittsburgh's pioneer black leader, Dr. Martin Robsen Delaney, physician, publisher and social activist, also a Harvard scholar, was the first Afro American to be commissioned a major in the United States Army. President Lincoln commended him as "a remarkable man". Pittsburgh's Henry Ossawa Tanner was one of the first Ameri-

can painters to bring international acclaim to this Country for his classic works which hang in the gallery of London and Paris and our own Carnegie Museum. His sister, Dr. Hallie Canter Johnson was one of the earliest women in the Country to graduate from medical school in the 19th century. More recently, a Pittsburgh woman, Dr. Alma Illery began the movement for official recognition of blacks, national, state and local proclamations to celebrate contributions by Black Americans in her campaign for the now traditional George Washington Carver Week. Our own K. Leroy Irvis is the first Afro American to serve as Speaker of the State House of Representatives since reconstruction. And one of our own historians, the late Dr. James Brewer, a graduate of the University of Pittsburgh did much of the research to explode the myth about the status of the first generation of Black Americans in Virginia who were not slaves. He examined the early colonial manuscript records and proved that some of the first Americans who arrived on these shores became leading citizens and large property owners.

Realizing the crucial need served by the Association for the Study of Afro American Life and History, in promoting the observance of Black History Week, begun in February, 1926, President Jimmy Carter expanded the program to National Afro American History Month by official proclamation in 1977.

For the 1980 observance, President Carter called the Executive Council of AFLH to the White House on January 15th when he paid tribute to the late Dr. Martin Luther King and issued a highly inspirational statement. I represented Western Pennsylvania at that ceremony and would like to conclude my remarks with some of his words, I quote the last part from the proclamation:

"The history of Black Americans is the record of America's battle with itself to establish the principles of justice, freedom and equal opportunity on which it was founded. It is a record of perservice and

anonymous sacrifice by both Black and white Americans over many years. It is a record of calm conviction that overcame the power of hatred and fear and entrenched ignorance. It is a record of human failure and cruelty, but also of human courage and commitment.

It is important that all Americans know and understand the true meaning of that record. Your theme for this year's Black History Month, 'Heritage for America' emphasizes the interest of the Association in encouraging all Americans to study all our history. I urge schools and communities throughout the nation to encourage the study of our past to plan projects and programs, to commemorate important historical events and movements and to highlight the lives of those who made a difference. I urge all Americans to take this opportunity to learn about our heritage and to participate fully in all our Democratic system."

I think our President said it very well, I thank you.

I just want to announce and Councilman Robinson gave me permission and the President of Council, that the Association for the Study of Afro American Life and History and the Department of Black Minority and Ethnic Studies of Allegheny Campus, Community College present a 1980 program to be held as an annual seminar at the Hill House at 1835 Center Avenue on Saturday, February 23rd from noon until 4:00 p.m. The program will feature the life of Paul Robson, the tallest tree in our forest and comments by Professor Wendell Ray of the University of Pittsburgh. The meeting is free, lunch will be served and we'd love to have you all come and join in with us in the celebration. Thank you.

#### **The Chair:**

Thank you Dr. McKenzie, you did that so beautifully and put it so well, you leave very little for anyone else to say, I think we received the message.

Again, I would like to say congratula-

tions to the Afro American History Association for their great work and their great endeavor and we will attempt to give them all the aid we can in the future and that is a promise.

I do want to say to all the young children who are here today, if you promise to vote for these present Councilmembers when you grow up we will not turn you in to the truant officer.

#### **Mr. Givens:**

Mr. President, I wouldn't want this to pass by, all the children and the teachers from various schools that came here, wouldn't want them to go away not knowing that we had a President of City Council, Louis Mason, who is a Black American, African, and I would like to recognize him.

#### **The Chair:**

Lou is usually with us for our meetings but he is under the weather this week and he called and said he just couldn't make it. He wanted to be here, and if not in person, he is here in spirit. Thank you Dick for those nice remarks.

Again, thank you and again, congratulations to the Afro American History Association.

Now we will get on with our regular business, Presentation of Papers.

#### **PRESENTATIONS**

Mr. Coyne presented

No. 199 Resolution providing for the issuance of a warrant in favor of Robert K. Murray Auto Body Shop in the amount of \$1,068.00 in payment for repair to City-owned Bridge Snooper.

Also,

No. 200 Resolution authorizing the issuance and payment of a Semi-Final estimate to Sofis Company, Inc., in conjunc-

tion with the reconstruction of the Elizabeth Street Bridge over the B. & O. Railroad between Lytle Street and Second Avenue, and other work incidental thereto, Controller's Contract No. 23546 and 23546-F, and reducing the retainage percentage from 10% to 1%.

Which were read and referred to the Committee on Finance.

Mr. Flaherty presented

No. 201 Resolution amending Res. No. 721, effective August 20, 1979, entitled: "Providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$57,369.05 and \$30,357.70, totalling in the aggregate \$87,726.75, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, and providing for the payment thereof" by increasing the authorized amount from \$87,726.75 to \$88,707.56.

Also,

No. 202 Resolution transferring \$75,000.00 from Rens-City Owned Property trust Fund to Maintenance of City Lots Trust Fund.

Which were read and referred to the Committee on Finance.

Also,

No. 203 Resolution providing for an Agreement or Agreements with Selck-Minnerly Group, Inc., Engineering Consultants for professional services in connection with Land Use and Realty Evaluation and providing for the payment of the cost thereof.

Also,

No. 204 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 205 Resolution amending Item (B) of Res. No. 1222, app. 12/31/79 to Good Samaritan Baptist Church, for the sum of \$200.00 by correcting the spelling of Samaritan to read "Samaritan" also changing Block 10-K, Lot 196 to read Block 10-K, Lot 96. All else in Item (B) of Res. No. 1222 shall remain the same and in effect.

Also,

No. 206 Resolution repealing Res. No. 668, app. Aug. 16, 1976 for the sale of property in the 25th Ward on Brighton Place, to John W. Calhoun for the sum of \$4,700.00, for the reason purchaser has failed to comply with the agreement of sale. Hand money of \$500.00 to be forfeited.

Also,

No. 207 Resolution repealing Res. No. 1001, app. 10/20/77 for the sale of property, 28th Ward on O'Bey Street to Elkin Cannoy for \$2,500.00 and which was awarded by auction bid to James Pivrotto, highest bidder for \$6,025.00 and has failed to comply with agreement of sale. Hand money of \$250.00 to be forfeited.

Also,

No. 208 Resolution amending Res. No. 150, app. 12/29/78, for the sale of property in the 4th Ward on Ledge and Frazier Sts. Block 29-H, Lots 21 & 22 to New Light Baptist Church for the sum of \$450.00, as City cannot give marketable title to Lot No. 21, therefore Lot 21 is to be deleted and the sale price reduced from \$450.00 to \$200.00.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 209 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of payment of \$4,696.52 to Boron Oil Company,

for emergency purchase of heating oil for the Pittsburgh Zoo, payable from Code Account 1854, Coal & Oil, Zoological Park Commission.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed,

Also,

No. 210 Resolution amending Res. No. 843 approved September 26, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of three (3) power cutters, three (3) extension hoses, and six (6) cutting blades for the Dept. of Emergency Medical Services, and for the payment thereof." by deleting the quantities of the items listed.

Which was read and referred to the Committee on Supplies.

**Mr. O'Malley** presented

No. 211 Communication from Glenn M. Cannon, Director, Dept. of Emergency Medical Services, requesting permission for Mary Hall, Public Education Coordinator, to attend Nat'l. Conference on Citizen CPR, Houston, Texas, April 29-May 2, 1980, at cost not to exceed \$750.00, payable from Code Account 1421, Miscellaneous Services, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson** presented

No. 212 Resolution providing for an Agreement or Agreements with BKI Asso-

ciates, Inc., for professional traffic planning services in connection with the East End Traffic System Management Study; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 213 Resolution approving a Conditional Use under Section 993.01 (a) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Pennsylvania Department of Justice, Bureau of Corrections to use the existing structure identified as 535 SOUTH AIKEN AVENUE as an Institutional Facility, Home for Pre-Released Female Convicts under a work-release program, on property zoned "R5" Multiple-Family Residence District, 7th Ward.

Also,

No. 214 Resolution approving a Conditional Use under Section 993.01(a) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Pennsylvania Department of Public Welfare to use the existing structure identified as 7228 Thomas Boulevard as an Institutional Facility, Community Residential Center for no more than twelve youths, on property zoned "R4" Multiple-Family Residence District, 14th Ward.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed,

**Mr. Robinson** for **Mr. Stone** presented

No. 215 Resolution providing for the

issuance of a \$1,108.99 warrant to Government Employees Insurance Company and Robert Gentile in full settlement of claim for damage; and providing for payment thereof.

Also,

No. 216 Resolution providing for the issuance of a \$2,979.63 warrant to Erie Insurance Group and Kathy Sokolowski in full settlement of claim for damage; and providing for payment thereof.

Also,

No. 217 Communication from Richard S. Caliguiri, Mayor, submitting the collective bargaining agreement for 1980 and 1981 between the City of Pittsburgh and the Refuse and Salvage Drivers and Helpers Local Union No. 609, Affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.

Also,

No. 218 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to attend Penna. League of Cities meeting on Urban Fiscal Problems, Harrisburg, PA, February 6, 1980, at a cost not to exceed \$150.00, payable from Code Account 1017, Misc. Services, Mayors Office.

Also,

No. 219 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Douglas Spencer and Cecilia Richardson to attend U. S. Dept. of Labor Training Session on Self Directed Job Finding, Richmond, VA, February 12-14, 1980, at cost not to exceed \$800.00, payable from C-EEOP Trust Fund, federal funds.

Also,

No. 220 Communication from Melanie

J. Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Leo McDonough, Chairperson of the Private Industry Council for Pittsburgh and Allegheny County and Messrs. Herman and Cameron to attend U.S. Dept. of Labor Training Session on Economic Development and Innovative Program Models for CETA Private Sector Initiative Program, Phila., PA, Feb. 13, 1980, cost not to exceed \$570.00, payable from CETA Title VII Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

Mr. DePasquale presented

No. 221 Petition from residents of the 9th Ward, Pittsburgh requesting a hearing before City Council to discuss the redevelopment of St. Margarets Hospital and the long range effects thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

## REPORTS OF COMMITTEES

Mr. O'Malley for Mr. Stone presented

No. 222 Report of the Committee on Finance for January 30, 1980 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 68

A Resolution entitled, "Resolution amending Resolution No. 1231 of 1979 ("The 1980 Salary Resolution") by deleting certain pages and replacing them with new pages reflecting 1980 salary rates and collective bargaining agreements." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, I move to amend Bill No. 68 under the heading "Department of Police" which reads:

Assistant Superintendent  
of Police 4 32E 12 \$126,016

SHALL BE AMENDED TO READ:

Assistant Superintendent  
of Police 4 30E 12 \$116,640

Michelle Madoff seconded the motion.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 71

A Resolution entitled, "Resolution providing for the issuance of a warrant to Josephine Mitesser in the amount of \$7,500.00 as the City's share in the settlement of her

claim for personal injury, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative the bill passed finally.

Also,

Bill No. 88

A Resolution entitled, "Resolution amending Resolution No. 1127, approved December 14, 1979, effective December 21, 1979, entitled, 'Resolution providing for the transfer of the aggregate sum of One Hundred and Eighty Thousand (\$180,000.00) from various Code Accounts into Code Accounts 1612-4, Salt, Department of Public Works' by deleting Code Account 1420, Salaries and Wages, Regular Employees, Department of Emergency Medical Services Thirty Thousand (\$30,000.00) Dollars, and amending Resolution title."

Which was read.

Also,

Bill No. 113

A Resolution entitled, "Resolution provid-

ing for the payment of vacation pay to certain former employees."

Which was read.

Also,

Bill No. 119

A Resolution entitled, "Resolution providing for a transfer of Seventy-Five Thousand Dollars (\$75,000.00) from Code Account 45, Health Insurance, to Code Account Manchester Neighborhood Development Trust Fund (MNDTF), services contained in Resolution No. 831 of 1979."

Which was read.

The Chair:

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 127

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NCR Corporation, P.O. Box 64060, Baltimore, MD 21264, in the amount of Five Hundred Seven Dollars and Ninety-Two

Cents (\$507.92) and in payment for repairs to NCR Cash Register without previous authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 128

A Resolution entitled, "Resolution providing additional benefits to beneficiaries of the City of Pittsburgh's Policemen's Relief and Pension Fund, Firemen's Relief and Pension Fund, and Municipal Pension Fund who retired prior to January 1, 1980."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 7    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 129**

A Resolution entitled, "Resolution amending and supplementing portions of Resolution No. 1230 of 1979 entitled 'Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1980 and ending December 31, 1980' by correcting the appropriation amounts for various code accounts." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, I move to amend Bill No. 129, Section 2, by adding Code Account 1001, from \$383,197 to \$382,934. Also by changing the amounts in the following Code Accounts in the "to" column:

C.A. 1046, From \$1,312,166 to read \$1,313,976  
C.A. 1420, From \$404,296 to read \$406,383  
C.A. 1420-2 From \$2,304,835 to read \$2,332,231  
C.A. 44 From \$5,415,000 to read \$5,400,970  
C.A. 45 From \$7,252,000 to read \$7,242,000  
C.A. 57 From \$2,366,000 to read \$2,359,000

**Michelle Madoff** seconded the motion.

**Mr. Givens:**

I would like to ask a question on this, there seems to be a discrepancy there, I would like to get an answer if someone can answer it here today. Back on page 6 of that bill, on the Code Account 42-1, which I believe is Council's Contingency Fund, we have \$6,350,000 from that to 0. I'm just wondering if anyone can explain why we are losing our Contingency Fund?

**Mr. Buckley:**

Because the Contingency Fund was set up to pay for unsettled labor agreements in 1979 after the awards were handed down it cleared out the fund to zero.

**Mr. Givens:**

Thank you Mr. Buckley.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 7    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 130**

A Resolution entitled, "Resolution authorizing the City Controller to engage the serv-



ices of Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$3,500.00."

Which was read.

Also,

Bill No. 131

A Resolution entitled, "Resolution providing for an agreement or agreements with Lana C. Byers for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 132

A Resolution entitled, "Resolution authorizing an increase in the nonelectoral indebtedness of the City in the amount of \$1,873,630.00 by the execution of a lease evidencing acquisition of a capital asset, establishing the useful life of the Project, and directing the filing of documentation with the Department of Community Affairs."

Which was read.

Also,

Bill No. 133

A Resolution entitled, "Resolution providing for the award of a contract or contracts for computer hardware equipment, operating system software and application program conversion assistance; and providing for payment of cost thereof."

Which was read.

Also,

Bill No. 134

An Ordinance entitled, "An Ordinance

amending the Pittsburgh Code, Title Five, Traffic, Article VII, Parking, Chapter 545 Off-Street Parking, Section 545.03 VIOLATIONS to prohibit parking vehicles across or over markings or lines designating any parking spaces; requiring head-in parking; and prohibiting parking of vehicles in spaces designated for the handicapped."

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 223 Report of the Committee on Public Works for January 30, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 89

A Resolution entitled, "Resolution amending Resolution No. 1218, effective December 31, 1979, entitled, 'A Resolution providing for a contract or contracts for Engineering and Architectural Services for Grant Street and Liberty Avenue Design, Fort Pitt to Liberty, Seventh to Twelfth, providing for

the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing PW 79-05 by \$100,000.00."

Which was read.

Also,

Bill No. 90

A Resolution entitled, "Resolution providing for a Contract or Contracts authorizing Reconstruction of Galupe Drive Sewer; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 91

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Engineering Consultant or Consultants for Engineering Services in connection with Various Projects; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 92

A Resolution entitled, "Resolution providing for a contract or contracts authorizing the resurfacing of various City streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurbing and other work incidental thereto, PW 80-02; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 93

A Resolution entitled, "Resolution vacating

Sunbeam Way from Glenbury Street to Investor Way and Sunbeam Way between Groveland Street and Investor Way in the Thirty-Second Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 224 Report of the Committee on Planning, Housing and Development for January 30, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 123

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh to provide Relocation Services for various Pittsburgh North Side Housing Programs, in an amount not to exceed \$340,000, chargeable to and payable from Code Ac-

count HD-79-19, North Side UDAG Relocation."

Which was read.

Also,

Bill No. 124

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Allegheny Real Estate for management services in connection with the Innovative Grant—Residential Clubs Program."

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 225 Report of the Committee on Supplies for January 30, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 103

A Resolution entitled, "Resolution amending Resolution No. 1130, approved December

21, 1979, entitled 'Transferring the aggregate sum of \$223,500.00 from and to code accounts within the Department of Supplies by deleting one code account and inserting another.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

No. 226 Report of the Committee on Water for January 30, 1980 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 40

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Three, Water, Article III, Water Distribution, Chapter 317, Waste of Water, Section 317.01, Owner Maintenance of Private Water Service Line, by making property owners responsible for water service and fire lines in excess of two inches in diameter."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

(ONE ABSTAINING, MR. GIVENS)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 227 Report of the Committee on Parks and Recreation for January 30, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 106

A Resolution entitled, "Resolution amending Exhibit I of Resolution No. 1229, effective January 1, 1980, entitled, 'Adopting the 1980 Capital Budget; allocating and setting aside amounts in connection therewith creating Capital Funds; transferring Bond Funds to said Capital Funds', by increasing funds for the Department of Parks and Recreation and redefining projects."

Which was read.

Also,

Bill No. 107

A Resolution entitled, "Resolution provid-

ing for a Cooperation Agreement or Agreements with the Urban Relevelopment Authority of Pittsburgh for acquisition services in connection with the expansion of Volunteer's Field; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 109

A Resolution entitled, "Resolution amending Ordinance No. 540, approved September 25, 1975, entitled: 'Providing for a contract or contracts for the purchase of playground and athletic equipment for various recreational areas in the Department of Parks and Recreation and providing for the payment of the cost thereof' by decreasing the authorization."

Which was read.

Also,

Bill No. 110

A Resolution entitled, "Resolution providing for an agreement or agreements with Pittsburgh Rockets Drum and Bugle Corps to provide a music education and recreation program for youth in the City and providing for the payment of the costs thereof, which shall not exceed \$12,400 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

Also,

Bill No. 111

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Opera, Inc., to provide opera performances for residents of the City and providing for the payment of the costs thereof, which shall not exceed \$9,000 and shall be chargeable to and payable from Code

Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
(Pres't)	

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

No. 228 Report of the Committee on Public Safety for January 30, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 115

A Resolution entitled, "Resolution providing for an agreement effective January 1, 1980, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the canine unit of the Operations Branch of the Department of Police, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
(Pres't)	

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 229 Report of the Committee on Lands and Building for January 30, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 95

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a professional Real Estate Appraiser or Appraisers for real estate appraisal services in connection with the purchase or sale of real property by the City for the calendar year of 1980 and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, on this bill, I would

appreciate if Councilman Flaherty would obtain for me, on that \$15,000 expenditure, the who, the why, the when, and for what. I am very concerned about the ordinance I introduced, I guess it is about a year ago, that we would vigorously sell City-owned properties, but we can't sell them if we don't know where they are, and I wondered what role this piddley \$15,000 would play and I'll give you that with a little note on the bottom.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

(ONE ABSTAINING,  
MICHELLE MADOFF)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 96

A Resolution entitled, "Resolution providing for the renewal of the Public Safety Building Elevator Maintenance Contract, Controller's Contract No. 17651, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President on Bill No. 96, the elevators, I had requested that perhaps we ought to have an attendant downstairs for energy consumption, to have a timer as they do in the Clark Building and other buildings, and perhaps we ought to make this part of this contract, and also to control the litter and abuse of these elevators. As you know, the no smoking signs were put in and they were ripped off the first week, and cigarette butts all over the elevators, and such filth that you cannot believe. You wonder who is using them, whether it is a stable. And I think perhaps what we do need is somebody in uniform standing down at the elevators, and it might be part, or incorporated as part of this contract. I don't know if it is in order to ask that we hold this a week, or whether it is vital to go ahead—I understand it is a twenty year contract or something? Perhaps we could take that up as an additional ordinance. What would the suggestion be from the Chair?

**The Chair:**

Well, I don't want to be facetious, but how about getting Smokey the Bear?

**Mr. Givens:**

No way.

**The Chair:**

I think you make a good point there Michelle, we'll look into it, okay?

**Michelle Madoff:**

Well, would you suggest then that perhaps we do that as another ordinance coming from Lands and Buildings?

**Mr. Flaherty:**

Yes, as another ordinance.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7      Noes none

(ONE ABSTAINING,  
MICHELLE MADOFF)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 97

A Resolution entitled, "Resolution providing for the renewal of the City-County Building Elevator Maintenance Contract, Controller's Contract No. 16044, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

Mrs. Masloff	Mr. Robinson
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

Mr. O'Malley presented

Bill No. 230 WHEREAS February 10th through February 16th is National Crime Prevention Week; and

WHEREAS, the City of Pittsburgh wishes to recognize the many police officers, probation officers and community groups working to prevent crime; and

WHEREAS, the role of crime prevention should be a constant focus of public safety,

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh hereby proclaim the week of February 10th through the 16th, 1980 as "Crime Prevention Week" throughout the City of Pittsburgh and express our appreciation for the achievements of all those involved in crime prevention who have done so much to make our communities safer.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Flaherty seconded the motion.

Which motion prevailed,

Also,

Bill No. 231 WHEREAS, in 1979, the Pittsburgh Pirates were the World Series Champions and recognized as the best team in baseball; and

WHEREAS, in 1979-1980, the Pittsburgh Steelers were the Super Bowl Champions and recognized as the best team in football; and

WHEREAS, the title remains in the City from the previous year; and

WHEREAS, the Steelers are the only team to win four Super Bowls.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Administration to add the words "City of Champions" above Pittsburgh, PA on all letterhead stationery and on all envelopes.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby invites all City residents and businesses to follow suit.

Which was read.

Mr. O'Malley moved for adoption.

Which motion prevailed.

Michelle Madoff seconded the motion.

Michelle Madoff:

This might be a very appropriate time to mention that we are having, I believe, some new stationery prepared for City Council. I don't know about the other members of Council, but mine look like they were xeroxed by a machine and you payed a quarter a sheet, with the names all slurred, and it looks very bad, with dirt and ink all over it and I think really, it is almost embarrassing, the stationery that we use and I would be happy to pay for my own if that becomes necessary, but I hope we will all agree on whatever stationery we are going to have shortly.

On another item—I have a very serious matter to bring to the attention of Council. As you know I had requested that we have a set group of meetings which are non-

structured so that we could discuss, not always money, although this is a money item indirectly.

As you know, many of us in Council, I think, starting with Mr. Stone, who probably was the most verbal on the subject, have been pursuing the ultimate conclusion in payment of the preparation of the site on the North Side fire station. Being somewhat new to Council, and I can't claim that really much longer, after a year and a half, but not being as familiar as say, you, yourself, Mr. President, being here eight years, with procedure. I just couldn't understand how we would pay any bills from any contractor without having evidence of work performed. As you know, I did send a request, I think I mentioned this at several meetings, I think once here on a Monday and a Wednesday. I sent a request to Paul Imhoff and Mr. Brophy, the Mayor suggested I not send it to Lou Gaetano, to say, where are the bills? In other words, where are the delivery slips for the slag, what were the actual costs incurred?

As you know, it was a lump sum bid and the thing that I was concerned about is that the City wasn't going to be ripped off and that indeed, whatever we payed was valid and I don't think there is any question. If you talked to Mr. McGrady, or to Mr. Ray Johnson, you know that we don't pay any bills, even Supplies, if there is one little thing wrong, it is sometimes held up for six months. And here we had a bill come before us which—Mr. Robinson is aware of all of this, he will, I'm sure, be introducing a motion at the request of the Controller's Office to repeal the bill, because at this point they have done two-thirds of the work.

This morning I had a special meeting to review the concerns relating to the site preparation for the North Side station. Councilman Robinson, Lou Gaetano of Public Works, Dick Pugh of Public Works, Don Waldorf who is the engineer, Ray Johnson of the Controller's Office, Paul Brophy, Paul Imhoff and Mr. Frank Crown of Crown Wrecking were present.



As Council is aware to date, we have never received documentation of expenses incurred by Crown Wrecking. Interestingly, the contract was estimated on the basis of between 25 and 35 tons of slag, needed, or estimated for the job and that included any contingencies for site preparation, etcetra. As it turns out, the engineer, that is Mr. Don Waldorf, said his figure was more in the nature of 25,000 tons and if you took the 25,000 ton figure and divided that into \$336,000 which was the add on contract above the \$66,000 for the demolition, that would work out to \$13.44 a ton. I had \$12.00 using the \$35,000 tonnage.

Now, the slag was purchased, in truth, at \$5.55 per ton as Mr. Crown stated, that was the delivered price and in the final analysis the actual tonnage used, however, was only 13,974½ tons and today Mr. Crown brought in those bills. So using a round figure of 14,000 tons as opposed to what it was estimated at as 25,000 tons, that would work out to—at \$13.44—\$188,000, not \$336,000 as indicated for 25,000 tons of slag.

I spent some time this weekend calling other people in the business to say what, on the outside, could this possibly have come to? And everyone said two to three dollars for site preparation and other work involved, but never more than five dollars. If indeed, we had spent \$5.55 for the 14,000 tons, that works out to somewhere in the neighborhood of \$75,000 and another five dollars which would be a maximum figure, that would be another \$75,000 and if you add that together, we get \$150,000. Now, I'm even willing to accept \$188,000 as being \$13.44 and I want to continue

Mr. Frank Crown informed me that he was saving the City and he reiterated this today, \$53,000 off the \$336,000 because he didn't use as much slag as he had anticipated would be necessary. However, we all agree this was a botched contract. Even at \$13.44 times \$14,000, again, as I repeat, it is only \$188,000, not \$336,000 less \$53,000 which would be \$283,000. Just to clarify the figure. Now, Mr. Crown is saying, "Hey, I

saved you \$53,000, so in addition to the \$66,000 original contract, I am only going to bill you approximately \$283,000" I have his exact figure somewhere. My figures, at the outside, are \$188,000. Originally, they were \$150,000.

Prior to today's meeting, as I say, I spoke to other people, and based on Don Waldorf, the engineer's estimate, which he claims included, this is important, included the contingency factors, he did indeed, he himself walked the caverns before we began work. His estimate of \$13.44 was a liberal estimate. I mean, God knows, that would include anything. And so I believe this job should not have cost one penny more than \$188,000 although I think \$150,000 is probably more realistic, and we may have some expenditures, such as a cyclone fence and some water in one of the caverns had to be drained to the sewer. The cost of the work outlined in the contract in its entire scope, included in the engineering estimate, by the engineer, Don Waldorf, again, re-affirms my contention that the contract should not have been, again, one penny over the \$150,000 or perhaps \$188,000 allowing for other expenditures.

I don't know how we do business in the City. I don't know how we got locked into a fixed contract of \$336,000, but now he is going to give us \$53,000 off. Mr. Imhoff is very upset, but I am upset, because Mr. Imhoff was very spastic when I spoke to him. How can you not pay this gentleman. And you know, I have complained many times in Council, and so have you Mr. DePasquale, we ought to pay our bills, because if we don't pay our bills, people have to borrow money and they come back and they charge us more next time. But how can you pay a \$224,000 two-thirds bill without any justification of payment—not one slip. Mr. Imhoff had told Crown Wrecking and I guess the people here in his response to me, "We will have that with the final bill". And so I asked him today, I said, "Mr. Imhoff, what do you do if the \$224,000 is paid and we find out the bill doesn't even amount to \$224,000", his argument was that we were keeping a third in

reserve. A third of the dollars in reserve as we do on a contract to make sure the grading and the compaction, whatever have you, were in order and at that time we were withholding money, but if you are paying more for two-thirds of the work than the entire contract is worth, holding back means nothing.

Now, granted, Mr. Ray Johnson of the Controller's Office is going to go over all the bills, it was really a very awkward situation because nobody wants to say somebody really blew it and I guess Mr. Crown is entitled to get paid whatever—somebody said they'd give him a million dollars for it. If we'll give it to him and we signed it, I guess he is entitled to it. That is the wrong term, he may think he is entitled to it.

I don't know what is going to happen, I guess they are going to look at it now, with a very jaundiced eye, look at every bill and every justification. I knew that as recently as last week there were no bills available, they were sort of hustling around to get the bills for the slag. I am very disturbed that we are talking about a minimum of \$94,000 that we agreed to pay somebody for work that didn't have to be done. And I'm sure you can find justification for that, because at this point it is filled in. How do we go back and dig it all up?

**The Chair:**

I have to impart this to you, I had a call from Mr. Crown, whom I happen to know very well—

**Michelle Madoff:**

Was that after the meeting?

**The Chair:**

Mr. Crown was very concerned about not being paid. He explained to me why he wasn't paid, I shared it with the Chairman of the Committee, Mr. Robinson. I talked to the respective parties, to Mr. McGrady, to Mr. Imhoff, I talked to people in Public Works. All of the parties agreed

that there is no problem that Mr. Crown did have those expenses, did use that material and they admit, on their part, that there was some slip up in regards to the slips and what have you and as you said he was meeting with you this morning and he thought he was going to satisfy you on that end. I have no doubts whatsoever that Mr. Crown did what he was supposed to do and spent the money he spent. I don't think he made any money on it, from knowing a little bit about construction, and remember it was an emergency contract and he was given it because he was there at the time, he was on site and it had to be done immediately and I think the maximum they allowed was \$336,000 and the gentleman claimed he used about \$270,000 or \$280,000. So, he didn't use the full amount. But his argument is that he did use the money, he did buy the material and the City verifies it. Nobody in the Administration, nobody in the Controller's Office or in Building Inspection doubts it. They are quick to admit, like I said, that the fault was on their part in regards to the shoddy handling of the slips and what have you. So, I mean, I don't know how you penalize the man who did the work, the man has his money invested, because somebody on this end fouled up, especially when he can prove that he spent the money.

**Michelle Madoff:**

Mr. President, I'm sorry, did you say you spoke to him before the meeting this morning?

**The Chair:**

He called me I believe last Friday and said he was meeting with you this morning and—

**Michelle Madoff:**

Well, I'm telling you that after the meeting this morning—

**The Chair:**

...he felt that after the meeting with

you that he would satisfy you that he spent the money. I haven't talked to him since.

**Michelle Madoff:**

I don't want to get us into a fight Mr. President, and I hope that we could respect each other and I may be proven wrong, however I will tell you—

**The Chair:**

We're all on your side, if the work wasn't done and the money wasn't spent that is something else, but nobody in the City is saying it hasn't been done and the money isn't spent.

**Michelle Madoff:**

That is not so, the engineers are saying, that at the outside, it should have been \$13.44 a ton, \$13.44 per ton times 14,000 tons is not \$336,000 or \$288,000. I think the figure is exactly \$188,000 or in that ballpark.

**The Chair:**

Well, we have no alternative other than to bring the parties to the table this coming Wednesday and let them lay it out there.

**Michelle Madoff:**

Well that is what we did and I think it would be appropriate, but I think that we are going to check every bill and I think those bills have to be notarized. Anybody can submit a bill, at this point I want to see Duquesne's billing to Crown to make sure it is like a double entry system. There are driver's names on those slips, I may even call some of them because I am very disturbed at what is happening.

But, we have an even more serious matter. In Public Works a number of years ago, there was a change made in the legal department, that we would not—

**Mr. Givens:**

Mr. President, I just wanted to make

one comment, that this Council on many occasions approves the funding citations for many contracts in the City of Pittsburgh, however, it is the part of the Administration to carry them out. I'm sure Mr. McGrady in the Controllers Office will not pay any bill until they receive in their hands, all the invoices proving that such contractual agreements have been carried out. If they are falsified, then that is something that I think we should look into.

**The Chair:**

That is the part that disturbs me Dick. Mr. McGrady is tough that way and Mr. McGrady is saying the man should be paid and Mr. McGrady's word is good enough for me.

**Michelle Madoff:**

Mr. McGrady was represented by Mr. Ray Johnson today and I think Mr. Robinson can speak to the question of payment, I don't think they are going to pay and they are not going to pay until they have gone over the bills and they were not anxious to pay, as a matter of fact that is how this whole thing got started. I got a call Friday morning saying we got his bill here and we have not gotten the receipts. And I had asked and I talked to Mr. Robinson, that we not pay the bill until the receipts were here.

**Mr. Givens:**

And that is the checks and balances of government, is what I am saying, he is not going to be paid until he gives those invoices.

**Michelle Madoff:**

That isn't the checks and balances, I think Mr. DePasquale went to the issue when he said—

**The Chair:**

Somebody is telling me one thing and telling you something else Michelle.

**Michelle Madoff:**

That is right and what I am saying is Mr. DePasquale went to the issue. Mr. Crown is not guilty in this, I mean someone gave him a contract and said, "Hey, how much can you do it for?" He said, \$336,000." And perhaps if we had gone out for bidding, you have touched on a very important point Mr. DePasquale—on Royal Street, it was an emergency, the houses were sliding down, but Mr. Lou Gaetano got bids within I think 24 hours and he said if necessary he could have gotten them in three hours. We could have had police guards if we were worried about people falling in on that property, we could have gone out for bids. This is the most botched, flagrant abuse of the public tax dollar that I have ever seen. I think we have just—I don't know the right word to use in a ladylike manner—just let \$94,000 go down the tube.

But on another matter related to this, when a Public Works contract is put out for bid, they are sealed bids—sealed bids—nobody knows what you would bid, there is no indication in what ballpark you should be submitting your bid. But in the demolition, and in the department of Mr. Imhoff, which I believe is also inspection, when they put out a bid, for example in the first \$66,000 for demolition, it says in the upper left hand corner, "not to exceed \$66,000". Well, while it is true that somebody could come in and offer \$9.00 and say you've got the lowest bid and if they are responsible bidders and you want to do it for nothing, they might get that contract, the fact remains that it is most unlikely, if you say, we will pay no more than \$66,000, we will reject if it is over \$66,000, but anything under it, we will take the lowest bidder, we all know what goes on in the real world. Somebody says, "Tell you what, you take this bid this week, next week it is mine," and the bids don't come in much under that \$66,000. And I asked Ray Johnson that today, perhaps I was wrong, because Mr. Imhoff's position was that it has always been done that way, for hundreds of years it has been done that way. Well, for many years we didn't have the vote, women

couldn't vote either, that doesn't make it right.

**Mr. Givens:**

The average bill for demolition, if I can recall, Mr. President and Michelle, is not \$66,000, it is around \$2,500 per building, up to \$3,000. I have never seen a bill of that magnitude unless it is a multiple dwelling unit.

**Michelle Madoff:**

I'm making a point, supposing the bid was not to exceed \$3,000, if somebody comes in with \$2,080, as opposed to maybe somebody who would come in with \$1,500. We put what we expect, or what the maximum of that bid would—we give an indication of what we want on the bid.

I asked Mr. Ray Johnson what he thought of that and whether perhaps I was wrong and he said no. When they changed the procedure on Public Works, at that point, they should have changed the procedure on demolition and other jobs that we do. I am going to, with your permission, ask for a legal opinion from the Law Department as to whether we can change that so we can go to sealed bids and I would also like to have some kind of an Ordinance that says in emergencies, when we can go to 24 hours or three days or three hours, that perhaps we have—I mean this was a case not of the land sliding down like Mt. Royal, we dealt with that on bids. But here we had maybe somebody would fall and we could have had the area protected. There was absolutely no reason to do it the way we did. The bid, from where I sit, and I have talked to three other people in the same business, who for obvious reasons want to remain anonymous, they believe the bid should have come in somewhere at \$150,000 and let's say that they are biased and we didn't get the contract—they are not even in the area, but let's say they have some access—and they are saying, well, everybody says, "I could have done it for less", but there is certainly a far cry between \$150,000 and \$336,000. It is not Mr. Crown's fault,

it is a disgrace that this was allowed to happen.

**Mrs. Masloff:**

Mr. President, before we adjourn, there are some young men here, this is rather unusual, who have a petition with hundreds of names on it and they have been here through all of this meeting, the petition is protesting the imprisonment of the Americans in Iran. They would like to have just a few minutes, will you grant them that please, they have been here all afternoon practically.

**The Chair:**

Alright, will the gentleman come to the podium and state your name and address for the record.

**Mr. Alimonte:**

My name is Nino Alimonte. My address is 314 Sky Island Drive, Endicott, New York. I would just like to give you a brief statement on what I started. Around the middle of December I got involved in the hostages being held prisoners in Iran and I saw all these posters that were being done, such as Khomeni as a dartboard and I thought, it just wasn't saying anything and I did a painting of Uncle Sam holding Khomeni by the nap of the neck. It is a non-violent, non-political poster and it just says, "Khomeni, let my people go". I started in my area in southern New York, demanding the release of the hostages and I have received over 25,000 signatures and I wrote a letter to President Carter and mailed him all of these signatures and I received an answer from him round January 12th. This inspired me to take it nationally and I said to myself, where else should I go besides the Super Bowl, that is where most of the people are going to be from around the United States. So I went to the Super Bowl and I got over a hundred thousand signatures from 40 states, I received probably four posters from Canada filled with Canadian signatures demanding the release of the hostages. From Mexico,

just all over the country and I met a couple named John and Marie Skulverin, they are from the Western Pennsylvania area and they got involved, I met them on the plane coming home, they got involved and over there on the bench, I have probably 35,000 signatures from people in the Western Pennsylvania area.

On Friday night, I called, just by chance, Mr. Joe Gordon, I believe he is the public relations man with the Pittsburgh Steelers Organization. And just like we were best friends, he told me to be in the Pittsburgh Steelers main office on Saturday morning at 10:00 and I was there and proceeded to get signatures from Mr. Rooney, Chuck Noll, from all of the Pittsburgh Steelers, from the Mayor, from the media, I believe that gentleman there, I don't even know his name, but I think he signed my poster—

**The Chair:**

If you are talking about Ron Jay, he's not a gentleman.

**Mr. Alimonte:**

Yes he signed it and the response is just tremendous and I said to myself, how can I thank the City of Pittsburgh, the Mayor, City Council, the Pittsburgh Steelers organization, for the support they gave me and I am just here to say thank you very much to all of you in Western Pennsylvania. I really appreciate it and I guarantee that these will get to the President of the United States. The City of Pittsburgh is some City in my book, it was fantastic and thank you.

Anyone who didn't sign this, I would like to get you to sign it, please.

**The Chair:**

I think it is very commendable on your part to travel all this distance and do what you are doing and have so much concern. I believe we all are concerned, but at the same time, you show a little more and ex-

press a little more and it is wonderful.  
Thank you.

**Mr. Altomonte:**

If it is possible, I would like to get a City stamp or something like this because the City of Pittsburgh is going to be right on top of the list from all of the posters all over the world.

Thank you very much.

**The Chair:**

Mr. Perry can take care of the City seal after the meeting.

I would like to mention that Mr. Stone is attending the National Association of

Regional Council's meeting in Washington, DC.

**Mr. Robinson** moved to excuse Mr. Stone for absence from this meeting.

**Mr. Coyne** seconded the motion.

Which motion prevailed,

**Mr. Robinson** moved to approve the minutes of Monday, January 21, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed,

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, February 11, 1980

No. 6

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President

MICHAEL PERRY .....City Clerk

WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.

Monday, February 11, 1980

#### PRESENT:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

#### ABSENT:

Mr. Stone

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 232 Resolution providing for the issuance of a warrant in favor of Bovie Electric Company, in the amount of

\$1,995.64, for electrical supplies in connection with emergency repairs at the City Automotive Garage, 20 River Avenue, 22nd Ward, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Givens presented

No. 233 Resolution providing for the issuance of a warrant in favor of Boron Oil Co. in the amount of \$5,366.78 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof.

Also,

No. 234 Resolution providing for the issuance of a warrant in favor of Boron Oil Co. in the amount of \$5,287.09 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof.

Also,

No. 235 Resolution providing for the issuance of a warrant in favor of Boron Oil Co. in the amount of \$5,153.84 for the emergency purchase of No. 2 Heating Oil for the Pittsburgh Zoo, and for the payment thereof.

Also,

No. 236 Resolution providing for the issuance of a warrant in favor of Boron Oil Co. in the amount of \$741.47 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 237 Resolution providing for the letting of a contract or contracts for the furnishing, delivery, and complete installation of carpet for the Office of the City Clerk, and providing for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed,

Also,

No. 238 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (desks, chairs, etc.) for the Employment Development Division of the Department of Personnel and Civil Service Commission, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Mrs. Masloff for Michelle Madoff presented

No. 239 Resolution providing for a contract for a Pitometer Trunk Main Survey of portions of the distribution system of the Department of Water and other engineering studies of the water system and providing for payment of the cost thereof.

Also,

No. 240 Resolution providing for a contract or contracts for the purchase of

installation of valves in various locations, and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 241 Resolution authorizing the Mayor to issue and the Controller to countersign a warrant in favor of the San Diego Zoo, in the amount of \$498.75, for payment of transportation charges for a Siberian Tiger, to be delivered to the Pittsburgh Zoo, to include all shipping and delivery charges, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 242 Resolution providing for an agreement or agreements with the Duquesne University Tamburitzans for the furnishing of dance performances to the residents of the City of Pittsburgh during 1980 and providing for the payment of the cost which is not to exceed \$10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 243 Resolution approving a Conditional Use under Section 993.01(a)A(39) and (46) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 933 to A.P.D. Associates for permission to occupy 3,000 sq. ft. of floor area as a Financial Institution and 1,000 sq. ft. of floor area as a Pharmacy on the first floor of the Allegheny Professional Building on property zoned "I-M" Institutional-Medical District located on the northwest corner of East North Avenue and James Street, 22nd Ward.



Also,

No. 244 Resolution, whereas the Council of the City of Pittsburgh has theretofore passed a Resolution under the provisions of Section 2801-1-A (33) of the Zoning Ordinance No. 192 approved May 10, 1958, as amended, approval was thereby granted for construction of a basement and ten-story High-Rise, 104 Unit housing for the Elderly Facility located at the northwest corner of Perrysville Avenue and Burgess Street being Block 46-F, Lot No. 136 in the Allegheny County Block and Lot System, 26th Ward, City of Pittsburgh, in accordance with Conditional Use Application No. 434, and accompany Site Plan dated October 27, 1978 filed by I.R.M. Partnership Architects, and which are incorporated herein by reference thereto;

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** for **Mr. Stone** presented

No. 245 Resolution providing for earned vacation pay for Council Clerk-Typist, Dorothy Brandon for the year 1980.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed,

Also,

No. 246 Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00 from Code Account No. 1099-2 to CETA-T.2 Trust Fund and CETA-T.6 Trust Fund to pay

for wages and fringe benefits paid to CETA participants over the authorized federal salary of \$10,000.00 per annum.

Also,

No. 247 Resolution providing for an agreement or agreements with Abraxas Foundation Inc., Calliope House, Inc., Goodwill Industries of Pittsburgh, Housing Facilities, Inc., Meropolitan Pgh. Public Broadcasting, Inc., Neighborhood Legal Services, Pgh. Architects Workshop, Pgh. Metropolitan Stage Co., Pgh. Opportunities Industrialization Center, Inc., Pgh. Regional Library Center, Stanton Heights Civic Association, United Cerebral Palsy Assoc. of the Pgh. District, United Mental Health, Inc., and University of Pgh. Division of Theatre Arts for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also,

No. 248 Resolution providing for an agreement or agreements with Gates, McDonald and Company for professional services in connection with the Administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law.

Also,

No. 249 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission requesting permission for Philip B. Schugar, Catherine Melton and Barbara Howell, to attend session to discuss monitoring of the summer youth program, Newark, New Jersey, February 8, 1980, at a cost not to exceed \$590.00, payable from CETA Trust Fund.

Also,

No. 250 Communication from Melanie J. Smith, Director, Department of Personnel & Civil Service Commission requesting amendment of Council Bill No. 135 authorizing Director Smith, Josephine Kenney

and Philip Schugar to attend meeting with U. S. Dept. of Labor Grant Officer, Philadelphia, PA, January 24, 1980, by changing authorized amount from \$400.00 to \$423.00.

Also,

No. 251 Communication from N. C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority, submitting a list of their personnel as of December 31, 1979.

Which were severally read and referred to the Committee on Finance.

**Mr. DePasquale presented**

No. 252 Resolution amending Res. No. 208 of 1976 entitled, "Resolution approving the appointments of Attorneys John R. McKinley, Jr., Gilbert S. Solomon, Vincent J. Grogan, Donald John Lee, Cyril A. Fox and Byrd R. Brown, to serve as Legal Advisors to the Council of the City of Pittsburgh, at the rate of \$40.00 each per hour, for wages plus allowable expenses chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc.", as amended by Res. No. 652 of 1979, by adding the name of Alan Carb to serve as one of the Legal Advisors to the Council of the City of Pittsburgh.

Which was read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

**Mr. Robinson for Mr. Stone presented**

No. 253 Report of the Committee on Finance for February 6, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 77

A Resolution entitled, "Resolution provid-

ing for an Agreement or Agreements with Greater Pittsburgh Camp Fire Girls and the Program for Female Offenders, Inc, for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 151

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bouquet Construction Company in the amount of \$6,123.00 in payment of Extra Work furnished for the benefit of the City in connection with Sidewalk Construction."

Which was read.

Also,

Bill No. 164

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, in the amount of

\$338,732.41 for additional and extra water line work."

Which was read.

Also,

Bill No. 172

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$2,710.00 in favor of Casciato Brothers for payment of contract for demolition and removal of 3 story brick and frame dwelling at 228 Sylvania Avenue without previous authority of law."

Which was read.

Also,

Bill No. 182

A Resolution entitled, "Resolution providing for the issuance of a warrant to Rosemary Pitzarella, Theresa Nassan and Samuel Nassan, in the amount of \$3,500.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 183

A Resolution entitled, "Resolution providing for earned vacation pay for the former City Treasurer for the year 1980 in the amount of \$1,290.91."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 254 Report of the Committee on Public Works for February 6, 1980 transmitting sundry resolutions to Council.

Also, with an affirmative recommendation,

Bill No. 152

A Resolution entitled, "Resolution amending Resolution No. 1155, effective December 2, 1977, entitled 'Providing for a Contract or Contracts for Professional Services connected with the design for replacement of the Pennsylvania Avenue Bridge and approaches; by authorizing a Supplemental Agreement for Engineering Services and by

increasing the total cost from \$80,000.00 to \$140,167.00."

Which was read.

Also,

Bill No. 153

A Resolution entitled, "Resolution amending the title and Section 1 of Resolution No. 1219, approved December 31, 1979, effective December 31, 1979, entitled, 'Vacating Chateau Street from Ridge Avenue to a point 145.875 centerline feet southwardly therefrom and a portion of Bank Lane (Shore Ave.) between Chateau Street and Belmont Street.'"

Which was read.

Also,

Bill No. 154

A Resolution entitled, "Resolution granting unto the Pittsburgh-Allegheny County Chapter of the American National Red Cross, its successors and assigns, the privilege and license to construct maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of the Boulevard of the Allies."

Which was read.

Also,

Bill No. 155

A Resolution entitled, "Resolution granting unto Allegheny County Industrial Development Authority, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Third Avenue."

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 255 Report of the Committee on Planning, Housing and Development for February 6, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 56

A Resolution entitled, "Resolution approving a Neighborhood Housing Program Agreement between URA and Arch Lhorner and Lhorner Real Estate Agency, Inc., for housing to be constructed in the 13th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 125

A Resolution entitled, "Resolution providing for a Supplemental Cooperation Agreement with the Urban Redevelopment Authority (amending Resolution No. 1334 of 1978) for the Great House Sale Project so as to decrease the amount provided thereof from \$250,000 to \$155,000, payable from 1977 Community Development Block Grant

Trust Fund, Unspecified Local Options (\$125,000) and 1978 Community Development Block Grant Trust Fund, Unspecified Local Options (\$30,000)."

Which was read.

Also,

Bill No. 176

A Resolution entitled, "Resolution amending Resolution No. 418, approved April 21, 1978, entitled, 'Providing for an Agreement with the Housing Authority of the City of Pittsburgh to employ a Housing Inspector to seek and locate suitable housing units which comply with requirements of Section 8.'"

Which was read.

Also,

Bill No. 177

A Resolution entitled, "Resolution amending Resolution No. 1557 of 1978 providing for Agreements with various organizations by reducing the total amount allocated from \$60,000 to \$55,626.15," (AS AMENDED IN COMMITTEE).

Which was read.

Also,

Bill No. 178

A Resolution entitled, "Resolution approving the sale of Block 22K, Lot 21 in the Twenty-First Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and John S. Lindell for \$285.00."

Which was read.

Also,

Bill No. 179

A Resolution entitled, "Resolution approving

the sale of Block 22P, Lot 308 in the Twenty-First Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and William E. & Marlena L. Brewton for \$1,500.00."

Which was read.

Also,

Bill No. 180

A Resolution entitled, "Resolution approving the sale of Block 23F, Lots 124A and 126 in the Twenty-Fifth Ward of the City of Pittsburgh by and between the Urban Redevelopment Authority and Gladys Law Williams and Ronald Dwaytes for \$220.00."

Which was read.

Also,

Bill No. 181

A Resolution entitled, "Resolution amending Resolution No. 713 enacted July 30, 1979, effective August 10, 1979 to add Parcel 10B-2, Chartiers Valley Project, Redevelopment Area No. 24, Twenty-Eighth Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens** presented

No. 256 Report of the Committee on Supplies for February 6, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 161

A Resolution entitled, "Resolution amending Resolution No. 1141 of 1979 providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (Modular style) for the Department of Housing by amending Section 1 to increase the allowable cost from \$11,064.00 to \$13,000.00 and specifying the source of funds as Community Development Block Grant Program Trust Fund."

Which was read.

Also,

Bill No. 162

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of medical equipment (self contained breathing apparatus, oxygen cylinder, etc.) for the Department of Emergency Medical Services, the cost of which is not to exceed \$6,520.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff** presented

No. 257 Report of the Committee on Parks and Recreation for February 6, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 108

A Resolution entitled, "Resolution authorizing a Fifth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements."

Which was read.

Also,

Bill No. 167

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 168

A Resolution entitled, "Resolution providing for a contract or contracts for the renovation of Arlington Heights ballfield and

providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 169

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of the Oakwood Ballfield and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 170

A Resolution entitled, "Resolution providing for a contract or contracts for the renovation of Dunbar Ballfield and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

The Chair:

I would like to call to your attention,

Councilmembers and also the rest of the staff, to the two new members who have come aboard just this morning, the young lady over to my left, Maribeth Doheny and Mr. Otis Wesley. You are going to be working with them, so I thought you should get acquainted with them. Welcome, it is nice to have you aboard.

The Chair presented

No. 258 WHEREAS, on Monday, January 28, 1980, six U. S. Embassy employees were able to flee Iran by using passports provided for them by Canadian officials; and

WHEREAS, Americans everywhere are voicing thanks to Canada for protecting the Americans and helping them escape; and

WHEREAS, the United States Government has expressed its deep appreciation to the Government of Canada by calling the escape an extraordinary act of friendship and courage.

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognizes and commends Canadian Prime Minister Joe Clark and the Canadian government for their courageous and humanitarian efforts in providing safe passage from Iran for six American officials and join with the Nation in expressing sincere appreciation and thanks for their remarkable display of friendship and courage; and

BE IT FURTHER RESOLVED that this body recognizes that the measures taken by Canada to protect the Americans constitute an honorable and humane chapter in the world's diplomatic annals.

Which was read.

Mrs. Masloff moved for approval.

Mr. Robinson seconded the motion.

Which motion prevailed,

**The Chair:**

I would like to speak, I believe, on behalf of all of Council and congratulate Mr. Coyne on receiving the Democratic Party's endorsement for the 14th Congressional seat. Congratulations Bill.

**Mr. Coyne:**

Thank you.

**Mr. Givens:**

I was very happy to hear that the Canadian government doesn't want to receive any more draft dodgers either.

**The Chair:**

There are two absent members, I happen to know where the one, Mr. Stone is, I do not know where Michelle Madoff is, but we will excuse her anyway.

**Mr. Flaherty:**

She has the flu.

**Mr. Givens:**

Mr. President, I don't want to excuse Mrs. Madoff for the mere reason that if there is no other justification but to keep with her consistency, that if no one is excused, that I cannot excuse her if she hasn't addressed herself to you or the Chief Clerk as to why she is absent.

**The Chair:**

Yes, but if the majority does not excuse her she may not miss again. I don't think we can go along with you on that.

Mrs. Masloff moved to excuse Mr. Stone and Michelle Madoff for absence from this meeting.

**Mr. Robinson** seconded the motion.

Which motion prevailed,

And on motion of **Mr. Robinson**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Tuesday, February 19, 1980

No. 7

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.  
Tuesday, February 19, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 259 Resolution authorizing the issuance of a warrant in favor of Garfield Incorporated, in the amount of \$3,656.00, in payment for work performed at Carnegie

Library, Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 260 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting permission for 11 supervisors listed therein to attend Basic Supervision Seminar, Pittsburgh, PA, March 5, 1980, at cost not to exceed \$1,166.60, payable from Code Account 1610, Miscellaneous Services.

Also,

No. 261 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting for Richard D. Pugh and William O'Mara to attend a Concrete Streets Seminar, Albany, New York and Connecticut on February 25-28, 1980, at cost not to exceed \$850.00, payable from Code Account 1502, Miscellaneous Services.

Also,

No. 262 Petition from the citizens of East Brookline requesting a hearing on Whited Street regarding the widening of Whited at curve, replacing of present guard rails with steel guard rails and replacement of City wall.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 263 Resolution amending Res. No. 798 of 1979 by providing for the sale of an enlarged parcel of certain property by the City of Pittsburgh to the Pennsylvania Department of Transportation at the intersection of Saw Mill Run Boulevard and Bausman Street, 18th Ward, designated as part of Block 34-D, Lot 20, for one dollar (\$1.00).

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Flaherty** presented

No. 264 Resolution providing for the issuance of a warrant in favor of D. R. Hamburg, Controller's Contract No. 22884, in the amount of \$1,300.00 as final payment for extra work in connection with the Solar Mechanical System for No. 2 Police Station, without previous authority of law; and providing for the payment thereof.

Also,

No. 265 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$6,631.42, in payment for corrective rain water work furnished for the benefit of the City in connection with the Unification of Maintenance Services at Carnegie Library, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 266 Resolution further amending Exhibit 1 of Res. No. 1038, effective January 6, 1977, as amended, entitled: "Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds," by re-allocating funds for the Department of Lands and Buildings.

Also,

No. 267 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 268 Resolution repealing Item (B) of Res. No. 536, approved June 7, 1979 to cancel sale of property in the 15th Ward on Georgekay Road as requested by the purchaser Thomas J. Longo, due to illness & financial difficulties. Hand money of \$200.00 to be returned by the Department of Lands and Buildings.

Also,

No. 269 Resolution repealing Res. No. 1060, app. 11/26/79 and reinstating Res. No. 361, app. 5/5/77 for the sale of property in the 19th Ward being a vacant lot rear of Ruth St. to Felix Cimillo & Marie Cimillo, his wife, for the sum of \$250.00. Therefore, Res. No. 361, app. 5/5/77 is hereby re-enacted.

Also,

No. 270 Resolution repealing Res. No. 591, app. 7/27/76, which authorized the sale of property in the 19th Ward rr. of Grace St. Block 4-E, Lot 66, to Wayne A. Clifton for the sum of \$1,000.00 and later awarded to James Pivrotto for \$1,000.00 who has failed to comply with agreement of sale. Hand money of \$100.00 to be forfeited.

Also,

No. 271 Resolution repealing Res. No. 1138 app. 11/25/77 which authorized the sale of property in the 31st Ward on Rodgers Ave. & Ollie Avenue, Block 184-J, Lot 361, to Richard T. Arbasak for the sum of \$2,500.00. Property was awarded to James Pivrotto through auction bid for \$2,750.00 and has failed to comply with agreement. Hand money of \$250.00 to be forfeited.

Also,

No. 272 Resolution repealing Res. No. 141, app. 2/22/77, which authorized the sale of property in the 19th Ward on Canton Street, Block 35-E, Lots 83, 114, 115 & 116 to Amaran W. & Charlotte Onyundo for \$950.00 and later awarded through auction bid to James Pivrotto for \$4,025.00 who has failed to comply with agreement of sale. Hand money of \$250.00 to be forfeited.

Also,

No. 273 Resolution repealing Res. No. 1114, app. 11/14/77, which authorized the sale of property in the 26th Ward on Venture & Newhart Sts., Block 4-E, Lot 66. to Wayne A. Clifton for the sum of \$1,600.00 and later awarded to James Pivrotto for \$2,200.00 who has failed to comply with agreement of sale. Hand money of \$160.00 to be forfeited.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 274 Resolution providing for the issuance of a warrant in favor of the County of Allegheny in the amount of \$78,349.01 for the emergency purchase of 10,109 tons of cinders.

Also,

No. 275 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$4,696.52 for the emergency purchase of Heating Oil for the Pittsburgh Zoo, and for the payment thereof.

Which were read and referred to the Committee on Finance.

**Mr. Givens moved to suspend Rule 8** by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Flaherty seconded the motion.**

Which motion prevailed.

Also,

No. 276 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Air Masks and Composite Cylinders for the Pittsburgh Fire Department, and for the payment thereof.

Also,

No. 277 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$1,446.00 to Doerr Brothers, Inc. for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Which were read and referred to the Committee on Supplies.

**Michelle Madoff presented**

No. 278 Resolution providing for a contract or contracts for the purchase and installation of fire hydrants and providing for the payment thereof.

Also,

No. 279 Communication from Richard M. Cosentino, Director of Water, requesting permission for Ruth Lustman to attend U. S. E.P.A. Training Course, Cincinnati, OH, March 16-21, 1980, at cost not to exceed \$700.00, payable from Code Account 1701, Miscellaneous Services, Administration Division, Department of Water.

Which were read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 280 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$3,800.00 in

payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 281 Resolution authorizing the issuance of a warrant in favor of Arsenal Construction Company in the amount of \$5,590.00 in payment for work performed for the emergency repair of lighting towers, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 282 Resolution transferring \$25,-474.98 from Project Code 4-10-00-0001-73 to the LPWEA Trust Fund and providing for the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$36,598.23 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 283 Resolution providing for an agreement or agreements with architects engineers, landscape architects or surveyors for professional services in connection with the design of the West End Park Shelter and providing for the payment of the cost thereof.

Also,

No. 284 Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$80,000.00.

Also,

No. 285 Communication from Louise

R. Brown, Director Department of Parks and Recreation, requesting permission for Francis Barrett to attend Pennsylvania Turf Grass Association Conference, Hershey, PA, February 26-29, 1980, at cost not to exceed \$285.00, payable from Code Account 1801, Miscellaneous Services, Dept. of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 286 Communication from Chief Thomas J. Kennelly, Department of Fire, requesting permission for Messrs. Somma and Faulkner, to attend 52nd Fire Department Instructors Conference, Memphis, TN, March 24-27, 1980, at cost not to exceed \$1,400.00, payable from Code Account 1463-1, Education and Traveling Expenses.

Which was read and referred to the Committee on Public Works.

**Mr. Robinson presented**

No. 287 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$2,650,000.00 to the Pennsylvania Department of Community Affairs for the North South Project.

Also,

No. 288 Resolution authorizing an Amendatory Cooperation Agreement for the North Shore Redevelopment Project providing for conveyance of certain public property, vacation of streets, correction of a typographical error, and for certain changes in the financing of the project.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 289 Resolution amending Exhibit 1 of Res. No. 1229 of 1979 entitled: "Reso-

lution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Program" by creating new projects in the Department of Public Works, Water, Parks and Recreation, and Lands and Buildings for the transfer of funds to the Sinking Fund.

Also,

No. 290 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1979 to the same code accounts for the year 1980.

Which were read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 291 Resolution providing for the issuance of a warrant in favor of Frederick A. Bohem, Esq., in the amount of \$2,926.06 for work in addition to the original contract amount of \$30,000.00 on Controller's Contract No. 21828 furnished for the City in connection with the 1979 negotiations with the Fraternal Order of Police, Fort Pitt Lodge No. 1 under the authority of Section 4 of said contract; and repealing Ordinance No. 376 of 1971.

Also,

No. 292 Resolution providing for the issuance of a \$778.38 warrant to Lucy Otten and J. L. Otten in full settlement of claim for damages and providing for payment thereof.

Also,

No. 293 Resolution providing for the

issuance of a \$885.00 warrant to Pennsylvania Manufacturers' Association Insurance Company and Tastykake, Inc. in full settlement of claim for damage; and providing for payment thereof.

Also,

No. 294 Resolution providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward, from April 1, 1980, for a term of one year to house the operation of the City CETA Private Sector Initiative Program, upon certain terms and conditions; and providing for the payment of the cost thereof.

Also,

No. 295 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission requesting permission for Anthony Novogradac to attend an EEOP financial conference, Washington, D.C., February 21-22, 1980, at cost not to exceed \$350.00, payable from C-EOPP Trust Fund.

Also,

No. 296 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Philip Schugar and Georgine Scarpino to attend course for CETA prime sponsors on management use of data, Philadelphia, PA, February 26-28, 1980, at cost not to exceed \$550.00, payable from CETA Trust Fund.

Also,

No. 297 Communication from John E. McAllister, Director, City Information Systems, requesting permission for Messrs, McAllister and Walkowski, to attend Honeywell Large Users Assoc. Spring Forum, Cincinnati, OH, March 31-April 2, 1980, at cost not to exceed \$800.00, payable from Code Account No. 1043.

Also,

No. 298 Communication from John E.

McGrady, City Controller, requesting permission for Joseph T. Ware, Material Inspector, to travel to Kenil, New Jersey, February 19-22, 1980 to inspect fire hose. Cost not to exceed \$350.00, chargeable to and payable from Code Account 1052.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 299 Report of the Committee on Finance for February 13, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 65

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article XI, Personnel, Old and New, Chapter 191, Retirement and Severance Pay, by adding Section 191.07. Municipal Pension Fund: Military Buy-Back." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 199

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Robert K. Murray Auto Body Shop in the amount of One Thousand Sixty-Eight (\$1,068.00) dollars in payment for repair to City-owned Bridge Snooper."

Which was read.

Also,

Bill No. 200

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to Sofis Company, Inc., in conjunction with the reconstruction of the Elizabeth Street Bridge over the B & O Railroad, between Lytle Street and Second Avenue, and other work incidental thereto, Controller's Contract No. 23546 and 23546-F, and reducing the retained percentage from 10% to 1%.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 201

A Resolution entitled, "Resolution amending Resolution No. 721, effective August 20, 1979, entitled: 'Providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$57,369.05 and \$30,357.70, totalling in the aggregate \$87,726.75 in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, and providing for the payment thereof by increasing the authorized amount from \$87,726.75 to \$88,707.56."

Which was read.

Also,

Bill No. 202

A Resolution entitled, "Resolution transferring \$75,000.00 from Rents, City Owned Property Trust Fund to Maintenance of City Lots Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley

Mr. Robinson  
Mr. Stone

Mr. DePasquale  
(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 215

A Resolution entitled, "Resolution providing for the issuance of a \$1,108.99 warrant to Government Employees Insurance Company and Robert Gentile in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 216

A Resolution entitled, "Resolution providing for the issuance of a \$2,979.63 warrant to Erie Insurance Group and Kathy Sokolowski in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 233

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,366.78 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof."

Which was read.

Also,

Bill No. 234

A Resolution entitled, "Resolution provid-

ing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,287.09 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof."

Which was read.

Also,

Bill No. 235

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,153.84 for the emergency purchase of No. 2 Heating Oil for the Pittsburgh Zoo, and for the payment thereof."

Which was read.

Also,

Bill No. 236

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$741.47 for the emergency purchase of No. 2 Diesel Fuel for the Bureau of Automotive Equipment, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 245

A Resolution entitled, "Resolution providing for the earned vacation pay for Council Clerk-Typist Dorothy Brandon for the year 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Robinson presented

No. 300 Report of the Committee on Planning, Housing and Development for February 13, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 212

A Resolution entitled, "Resolution provid-



ing for an Agreement or Agreements with BKI Associates, Inc., for professional services in connection with the East End Traffic System Management Study; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

No. 301 Report of the Committee on Supplies for February 13, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 210**

A Resolution entitled, "Resolution amending Resolution No. 843, approved September 26, 1979, entitled 'Providing for the letting of a contract or contracts for the furnishing and delivery of three (3) power cutters, three (3) extension hoses and six (6) cutting blades for the Department of Emergency Medical

Services, and for the payment thereof.' by deleting the quantities of the items listed."

Which was read.

Also,

**Bill No. 237**

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing, delivery and complete installation of carpet for the Office of the City Clerk, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 302 Report of the Committee on Lands and Building for February 13, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 203**

A Resolution entitled, "Resolution provid-

ing or an Agreement or Agreements with Selck-Minnerly Group, Inc., Engineering Consultants for professional services in connection with Land Use and Realty Evaluation and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 204

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**Michelle Madoff:**

Regarding the proposal submitted on the properties, I have spoken with Mr. Flaherty, there is a lot for sale, 7.68 acres, more or less, and he has checked and I believe his office believes there is another person interested which doesn't appear on this particular bill. This request to sell the property. This property is for \$10,800, that is the opening bid. As you know, the procedure normally proceeds along the line that if only one person is interested, no other interested party, it does not go to bid and presumably the first party would receive the property. This only goes to again point out the reason I would not vote on last year's budget. Here is \$10,800 as an opening bid for 7.6 acres. I know who Mastroianni is, I know he is a builder of credible reputation. I am sure if he is interested in it there should be other people interested. I think it is unfair that the public at large doesn't have this kind of notice.

Just to proceed further in the same vein, Sara's Restaurant tried to buy a small lot attached to their property two and a half years ago, because I pushed and called on it for her, it is now going to be put up for bid. There is one other party interested.

Granted the property will not go over \$3,300, but \$3,300 and \$10,000 and \$6,000 and the property I bid on, etc., etc., etc., adds up to a lot of money.

Furthermore I have a letter from Commonwealth Title stating that they have 35 pieces of property which they have done title searches on and haven't been paid for in over two years. I asked them to send along all the properties and I would look into it and find out what has held these up, but it gets back to my original point, we are in a tax bind, people don't mind paying taxes if they have to pay them, but they certainly like us to look at other sources of revenue. We're not talking about \$50 or \$150 for a side lot and the cost of doing the title search, we are talking about substantive dollars. Again, I repeat, we have 4,000 buildable lots and 800 homes that can be rehabilitated and when I asked Mr. West publicly on several occasions when he is going to post them as Flaherty did and a lot of dollars came in, they went back on the tax rolls, as you know the response I got is "When I'm ready".

Well, this ordinance passed Council and I am now looking into litigation to see what legal resource I have to force the Administration and Mr. West into moving to comply with that ordinance and I will report back to Council.

**Mr. Stone:**

Mr. President, if I may, I don't want to go into Councilperson Madoff's remarks relative to this issue on land but I would be remiss if I, as Finance Chairman left pass the remark that because of this small thing, she did not vote taxes to pay for \$180 Million of appropriations which she did vote for. I can't let that pass and I think it is wrong to use this small excuse to justify, after the fact, what happened during the budget time.

**Michelle Madoff:**

Mr. President, may I respond? I wrote a seven page critique of the budget and I

was very specific and that was before I voted...before I voted. It was not something that I am rationalizing after the vote. I would not vote for the budget because I think there were other sources of revenue. That was a protest vote. As I stated, had my vote been the deciding vote, I would have made up my mind at that point which way to go. I did not want to vote no for land because it would have meant aye for wages. Mr. Stone may choose to say, Michelle didn't vote and now she is trying to say that she did vote or whatever motivation he may have. I am using this merely as an example to point out there are other sources of revenue and that is why I would not vote to increase the taxes to the public when we had other sources and we could have lowered the amount of money that we did raise in the past year and I think that is pretty clear even to Mr. Stone.

**The Chair:**

Yes, but Michelle I have to agree with Mr. Stone to a certain extent. You are rather contradictory. You are willing to charge City residents a \$75.00 for ambulance service that they are already paying for now and are probably overtaxed in that regard, yet you say that we are not selling all of these lots, though most of them are completely worthless and that nobody wants them—

**Michelle Madoff:**

But I just gave you a \$10,000 lot—

**The Chair:**

...because obviously you wouldn't take a vacant and run down vandalized house and buy it and put it on the tax rolls and pay the taxes when you have no earthly use for it. Most of the property in the City of Pittsburgh sits in that category. So I don't want anybody to get the impression that somebody is doing something wrong and isn't selling valuable property, because you can't give it away. In fact, get out on a corner some day and try to give it away

and nobody will take it. Nobody wants to pay those taxes, not on useless property.

**Michelle Madoff:**

Mr. President, let's go to the first item that you mentioned, the \$75.00 for ambulance. There is going to be a hearing, I believe, on that and it has been held, I was away. My understanding is that we would apply that, as we have, to non-City residents basically third party payees and we would not be putting undue pressure on people who just cannot afford to pay. As was stated, we might only get \$20.00 from Medicare as far as ambulance coverage, but \$20.00 is still \$20.00. Now that takes care of that, I certainly don't want to put undue pressure on people who cannot afford. However, again, I am not the expert in land, but I went to the experts, I did my homework and I did my research and I submitted to all the members of Council who bothered or cared to read, not my words, but Mr. Rege Valaw's statement that this source is the greatest underused source of revenue in the City. We are having a public hearing on that as you know, we scheduled one sometime in the end of March and the title companies will be here and they will bring in their bills that we still owe for titles that have been done that people want to buy land and we are going to find out why it takes two years to get a piece of land for Sara's Restaurant and we are going to find out why on that piece of land that I bought for \$6,000 on Bellefonte to make a point, the two young architects who I let have it at the exact price, I didn't make a penny on it, were told they would have it in five to six weeks, and waited six to eight months before it even came up for bid and why they were given misinformation. There is a lot of money available in that City owned property. Somewhere between four and twenty million dollars. And if it is only two million, it is two million the public is entitled to get before we raise taxes.

**The Chair:**

Okay, that remains to be seen.

Also,

Bill No. 205

Resolution amending Item (B) of Resolution 1222, approved 12/31/79 to Good Samaritan to read 'Samaritan' also changing \$200.00 by correcting the spelling of Samaritan to read 'Samaritan' also changing Block 10-K, Lot 196 to read Block 10-K, Lot 96. All else in Item (B) of Resolution No. 1222 shall remain the same and in effect.

Which was read.

Also,

Bill No. 206

Resolution repealing Resolution No. 668, approved August 16, 1976 for the sale of property in the 25th Ward on Brighton Place to John W. Calhoun for the sum of \$4,700.00 for the reason purchaser has failed to comply with the agreement of sale. Hand money of \$500.00 to be forfeited.

Which was read.

Also,

Bill No. 207

Resolution repealing Resolution 1001, approved 10/20/77 for the sale of property, 28th Ward on O'Bay Street to Elkin Cannoy for \$2,500.00 and which was awarded by auction bid to James Pivrotto, highest bidder for \$6,025.00 and has failed to comply with agreement of sale. Hand money of \$250.00 to be forfeited.

Which was read.

Also,

Bill No. 208

Resolution amending Resolution 1540 approved 12/29/78 for the sale of property in the 4th Ward on Lodge & Frazier Streets,

Block 29-H, Lots 21 and 22 to New Light Baptist Church for the sum of \$450.00, as City cannot give marketable title to Lot No. 21, therefore Lot 21 is to be deleted and the sale price reduced from \$450.00 to \$200.00.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

MOTIONS AND RESOLUTIONS

No. 303 WHEREAS, Pennsylvania Senate Bill No. 1090 of 1980, providing for a new state obscenity code has been referred to the Senate Judiciary Committee; and

WHEREAS, this Council has previously voiced its support for more effective legislation on obscenity; and

WHEREAS, this new code adopts many provisions of laws and principles of law which have been upheld in the courts as valid measures for controlling obscenity and regulating pornographic materials which may be detrimental to the community standards of our City; and

WHEREAS, this legislation may give

our Commonwealth the most effective and constitutionally valid obscenity code in the nation,

**NOW, THEREFORE**

BE IT RESOLVED that the Council of the City of Pittsburgh strongly urges that Pennsylvania Senate Bill No. 1090 be expeditiously moved out of Committee and placed on the floor of the Senate; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Chairman and members of the Senate Judiciary Committee.

Which was read.

**Mr. Givens** moved for adoption.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, may I abstain since I don't know what the bill is all about?

**Mr. Givens:**

The bill is presently in the State Judicial Committee and it is an issue right now. The bill is not in its final form.

**Michelle Madoff:**

But even in the drafted form, I would like to see the bill and see what the legalities and what impact it would have on the area, I would be interested in reading it.

**Mr. Stone:**

As far as that particular point is concerned, I am agreeing with Mr. Givens in this sense, I think the legislature of the Commonwealth of Pennsylvania ought to rule on that issue rather than this City Council and in that light, is which I am joining in this matter. How they ultimately do it, I am assuming they are going to have

enough legal assistance that they this time will attempt to pass some bill that has some ability not to discriminate but rather to do something about obscenity.

**Michelle Madoff:**

I am particularly interested if there is a section on Community standards and how it would relate to our community standards.

**The Chair:**

Is there any further discussion on the resolution?

And on the question, "Shall the resolution pass finally?"

The ayes and noes were taken accordingly to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	(Pres't)

Ayes 8    Noes none

(ONE ABSTAINING  
MICHELLE MADOFF)

And a majority of the votes of Council being in the affirmative, the resolution passed finally.

**Mr. Givens and Mr. O'Malley** presented

No. 304 WHEREAS, East Liberty has been a vital section of the City's business community; and

WHEREAS, the Administration of the City of Pittsburgh and this Council has repeatedly voiced its support to keep small businesses in the City healthy; and

WHEREAS, the East Liberty Chamber of Commerce and various community and service groups have come together to pro-

mote the progress of that community, commercially and otherwise; and

WHEREAS, as the above mentioned groups have chosen Monday, February 18, 1980 as that day to celebrate its potential for future growth.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of the City of Pittsburgh shall recognize this day of February 18, 1980 as East Liberty Day.

Which was read.

**Mr. O'Malley** moved for adoption.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

One last item. This was one that was brought out at the time that I was gone. As you know the legislators are reviewing the reform laws. I have a letter here that I would like to share with you and I have sent telegrams as requested by one of the newspapers and I think we ought to contact our legislators. One letter that I have covers it very clearly and I would like to read the letter:

"Dear Michelle:

I am in receipt of your letter expressing your support for the new divorce reform legislation now being considered by the Committee on Judiciary in the Senate. I intend to support the bill.

I believe existing law is very antiquated and in some respects most hypocritical. I think that it needs to be changed.

I anticipate a prolonged debate on the three year separation requirement for unilateral divorce proceedings to begin. I ex-

pect that debate will mirror to a very large degree what was considered in great length in the House.

Frankly, I have no way of predicting at this time how the debate on the issue will materialize. Rest assured, however, that I am and will be a strong supporter of divorce reform.

The Senate Committee on Judiciary held a full day of public hearings on the bill a week ago. It is my understanding that the Chairman of the Committee expects to bring the bill before the consideration of the full Committee by the middle of the month."

I think it might be appropriate to express an opinion. Indeed our divorce laws are antiquated and they have to be brought into the 20th and 21st Century which we are now approaching. I was hoping to introduce that as a resolution but because of my absence we are now into the middle of February and maybe we need a meeting. I wonder if it is willing of this Council, and I will make that as a resolution, that we send a telegram communication from the president of this committee to find out who it is and to express the wishes of this divorce legislation. I think we are one of two states in the whole country that haven't modernized the divorce laws for about 60 years and I would hope we can bring the divorce laws into some kind of update, and I would make that as a motion.

**Mr. Flaherty** seconded the motion.

**Mr. Stone:**

Mr. President, as far as this particular bill is concerned, I would be remiss if I didn't leave you with this thought. It seems to me that this is one of those subjects that shouldn't be brought up at this particular Council. There are legislators there, let them legislate. It is not for us to deal with human relations of this type. I deal in the subject, obviously, daily and I think it is wrong for City Council to be embroiled in that particular subject at this time.

I am at a loss. Previously Michelle indicated when Mr. Givens indicated he wanted some legislation supporting Harrisburg, she had indicated that she was opposed to that until she saw the bill. Now there is a divorce reform bill and she hasn't seen that one either. What comes out of the legislation in the final analysis may be a different kind of animal than what went into the mill. I would suggest that before we get into those kinds of things we look at them more closely. I think you will find out that it is going to take a lot of changes before it goes over because there are a lot of factors operating that bill and it is not going to be through without a lot of amendments. You are dealing with a program that affects a lot of people and I don't think this Council should be embroiled in this particular one.

**Michelle Madoff:**

Well we could then say we should be embroiled in nothing and we should never comment on bills that come out of Harrisburg or out of Washington. I think we have a perfect right as a legislative body of the City of Pittsburgh to voice an opinion at least, in the broad sense, that the divorce laws be brought into the 20th Century. I am not going to argue this point, but I do have a biased—whether it should be unilateral or not, I won't voice that. I am just saying at least do something to protect both parties. Women really are abused and have absolutely no recourse, particularly as they get to the point where they are no longer able to get into the working market. I don't have to tell you you deal with this every day.

I can't imagine that any fair minded, honorable person would not want equality for all people and that is all I am asking for is that we support updating a divorce law that is fair to all. As I said, I won't even argue whatever bias I might have.

**Mr. Stone:**

Any changes in the present divorce laws are going to hurt women more than they hurt anyone else.

**Michelle Madoff:**

It can't hurt them, it can only help them.

**The Chair:**

This isn't the time or place for the E.R.A. battle. Mr. Stone, I take one exception we have emboriled ourselves time and again with matters of the State Legislature, perhaps we shouldn't have been involved in regarding resolutions. Really I don't see this as any different from any other resolution that we requested from the State Legislature of the State of Pennsylvania. So there is a motion and a second. Roll call vote please Mr. Clerk.

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. DePasquale</b>
<b>Michelle Madoff</b>	<b>(Pres't)</b>

**Noes:**

<b>Mr. Coyne</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	

**Abstaining:**

<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Mr. O'Malley</b>	

And a majority of the votes of Council being in the affirmative the motion was defeated

**Mr. Robinson:**

Mr. President, I would just like to mention that since I was absent during the initial discussion relative to this matter, I abstained.

**Michelle Madoff:**

Mr. President, may I urge that individual members express their opinion?

**Mr. DePasquale:**

I have mixed emotions and I would rather not, even though I said no earlier, as being opposed to anything our dear women in the State of Pennsylvania are trying to push and I imagine that the majority of them are, that is my reason for voting aye.

**Michelle Madoff:**

I just want to know one thing, when

you run for Mayor against me, are you trying to get that womens vote away from me?

**Mr. Givens:**

You have to get in line for that position, its seniority.

**Mr. Stone** moved to approve the minutes of Monday, January 28, 1980 and Monday, February 4, 1980.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, February 25, 1980

No. 8

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't City Clerk

Pittsburgh, Pa.  
Monday, February 25, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 305 Resolution providing for a

contract or contracts for the construction of the Schenley Park Sewer, and providing for the payment of the cost thereof.

Also,

No. 306 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting reimbursement of \$139.50 to Deputy Director Gaetano for expenses incurred in connection with a trip to Harrisburg, PA, on February 20, 1980 to attend meeting with PennDot officials regarding Bloomfield demolition, payable from Code Account 1502, Miscellaneous Services.

Which were read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 307 Resolution providing for the issuance of a warrant in favor of Civic Center Cleaning Company, in the amount of \$3,029.37 in payment for services furnished for the benefit of the City in connection with cleaning of the Public Safety Building; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 308 Resolution repealing Res. No. 1022, app. 4/26/76 which authorized the sale of property in the 18th Ward on Sylvania Avenue, Block 15-L-94 to Percy Wallace for the sum of \$200.00 for the reason City cannot give clear title to sale and purchaser requests to withdraw and return of hand money in the amount of \$100.00.

Also,

No. 309 Resolution repealing Res. No. 920, app. Oct. 12, 1979 approving sale of property being a 3 sty. brk. apt. 558-560 Dunfermline St., 13th Ward to James Mitchell & Maxine Lipscomb for \$5,200.00. Due to a fire that destroyed the property purchaser wishes to withdraw from sale and return of hand money of \$500.00.

Also,

No. 310 Resolution providing for the filing of a petition for the sale of property in the 20th Ward on Banksville Road, being Block 36-L, Part of Lot 81, to Joseph Della Vecchia & Michelle Della Vecchia, his wife, for the sum of \$5,000.00.

Also,

No. 311 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. O'Malley** for **Mrs. Masloff** presented

No. 312 Resolution authorizing the issuance of a warrant in favor of Edgar Mukuvos in the amount of \$1,000.00 for services rendered as Research Assistant for Council's Cable Communications Advisory Committee without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 313 Resolution providing for a lease agreement or agreements with Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and condi-

tions, including provisions for the renovation of the facility and for payment of the cost thereof; and repealing Section 3 of Resolution 1495 of 1978.

Also,

No. 314 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Bernice Stewart and Deborah Moses, to attend Pennsylvania Recreation and Park Society Conference, Lancaster, PA, March 23-26, 1980, at cost not to exceed \$530.00, payable from Code Account 1801, Miscellaneous Services.

Also,

No. 315 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Zoo Director Howard Hays to attend American Association of Zoological Parks and Aquariums 1980 Northeastern Regional Workshop, Norfolk, Virginia, March 30-April 2, 1980, at cost not to exceed \$485.00, payable from Code Account 1852, Miscellaneous Services.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson** presented

No. 316 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with the Charles E. Davis Construction Co., Inc. for an amount not to exceed \$20,000.00 under the Neighborhood Housing Fund.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 317 Resolution approving a form of contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and Urban Revitalization Pittsburgh, Inc. for the sale of Block and Lot No. 23-F-265 in the 25th Ward of the City of Pittsburgh.

Also,

No. 318 Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 1234, 1236, 1238 Filson Street, Lot and Block 23-K-120, in the Mexican War Streets Historic District, 22nd Ward.

Also,

No. 319 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements with Penn State University to provide a training program on furnace and venting installation for 35 Department of Housing employees and providing for the payment of the cost thereof.

Also,

No. 320 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Director deLuca to attend Railroad Land Revitalization Meeting, New York City, March 19-21, 1980, at cost not to exceed \$480.00, payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 321 Communication from Melanie

Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Rose Nagy and Malcolm Taylor, to attend CETA Program Planning and Labor Market Information Course, Pittsburgh, PA, March 24-28, 1980, at cost not to exceed \$80.00 payable from CETA Trust Fund.

Also,

No. 322 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Cathy Melton and Elbert Kennedy, to attend U. S. Department of Labor Meeting on Career Advancement Voucher Demonstration Project, New York City, March 3, 1980, at no cost to the City.

Also,

No. 323 Communication from Melanie Smith, Director, Department of Personnel & Civil Service Commission, requesting permission for Clarence Parker and Georgine Scarpino, to attend Workshop on EEO and the Handicapped Employee, Vocational Rehabilitation Center, Pittsburgh, PA, March 7, 1980, at cost not to exceed \$70.00, payable from CETA Trust Fund.

Also,

No. 324 Communication from George W. Jacoby, Deputy Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of January 31, 1980.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

**Mr. Stone** presented

No. 325 Report of the Committee on Finance for February 20, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 232

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bovie Electric Company, in the amount of \$2,480.26 for electrical supplies in connection with emergency repairs at the City Automobile Garage, 20 River Avenue, 22nd Ward, without previous authority of law, and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 241

A Resolution entitled, "Resolution authorizing the Mayor to issue and the Controller to countersign a warrant in favor of the San Diego Zoo, in the amount of \$498.75, for payment of transportation charges for a Siberian Tiger, to be delivered to the Pittsburgh Zoo, to include all shipping and delivery charges, without previous authority of law, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

I am voting no on Bill No. 241, for the same reason, that until we raise the rates for non-City users, I will not vote for any expenditures.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes 1

(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 247

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Abraxas Foundation, Inc., Calliope House, Inc., Goodwill Industries of Pittsburgh, Housing Facilities, Inc., Metropolitan Pittsburgh Public Broadcasting, Inc., Neighborhood Legal Services, Pittsburgh Architects Workshop, Pittsburgh Metropolitan Stage Company, Pittsburgh Opportunities Industrialization Center, Inc., Pittsburgh Regional Library Center, Stanton Heights Civic Association, United Cerebral Palsy Association

of the Pittsburgh District, United Mental Health, Inc., and University of Pittsburgh Division of Theatre Arts for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 248

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Gates, McDonald and Company for professional services in connection with the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law."

Which was read.

Also,

Bill No. 252

A Resolution entitled, "Resolution amending Resolution No. 208 of 1976 entitled, 'Resolution approving the appointments of Attorneys John R. McKinley, Jr., Gilbert S. Solomon, Vincent J. Grogan, Donald John Lee, Cyril A. Fox and Byrd R. Brown to serve as Legal Advisors to the Council of the City of Pittsburgh, at the rate of \$40.00 each per hour, for wages plus allowable expenses chargeable to and payable from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc.', as amended by Resolution No. 652 of 1979, by adding the name of Alan Carb to serve as one of the Legal Advisors to the Council of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 274

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the County of Allegheny in the amount of \$78,349.01 for the emergency purchase of 10,109 tons of cinders."

Which was read.

Also,

Bill No. 275

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$4,696.52 for the emergency purchase of Heating Oil for the Pittsburgh Zoo and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

**Mr. O'Malley**  
**Mr. Robinson**

**Mr. Stone**  
**Mr. DePasquale**  
**(Pres't)**

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 289

A Resolution entitled, "Resolution amending Exhibit 1 of Resolution No 1229 of 1979, entitled: 'Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Program' by creating new projects in the Department of Public Works, Water, Parks and Recreation, and Lands and Buildings for the transfer of funds to the Sinking Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes. were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne**                **Mr. O'Malley**  
**Mr. Flaherty**          **Mr. Robinson**  
**Mr. Givens**            **Mr. Stone**  
**Michelle Madoff**      **Mr. DePasquale**  
                                 **(Pres't)**

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 290

A Resolution entitled, "Resolution carrying

over balances or portions thereof remaining in certain code accounts for the year 1979 to the same code accounts for the year 1980."

Which was read.

**Mr. Stone:**

Mr. President, if I may, on Bill No. 290. I received correspondence from the Administration as of Friday which covers some amendments to that bill. We have not had a chance to review it. I would like to then recommit Bill No. 290 so it will come up on Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Robinson** presented

No. 326 Report of the Committee on Planning, Housing and Development for February 20, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 244

A Resolution entitled, "Resolution, whereas the Council of the City of Pittsburgh has theretofore passed a Resolution under the provisions of Section 2801-1-A(33) of the Zoning Ordinance No. 192 approved May 10, 1958, as amended, approval was thereby granted for construction of a basement and ten-story High-Rise 104 unit Housing for the Elderly Facility located at the north-west corner of Perrysville Avenue and Burgess Street being Block 46-F, Lot No. 136 in the Allegheny County Block and Lot System, 26th Ward, City of Pittsburgh, in accordance with Conditional Use Application No. 434, and accompanying Site Plan dated October 27, 1978 filed by I.R.M. Partnership Architects, and which are incorporated herein by reference thereto."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 327    Report of the Committee on Water for February 20, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 239

A Resolution entitled, "Resolution providing for a contract for a Pitometer Trunk Main Survey of portions of the distribution system of the Department of Water and other engineering studies of the water system and providing for payment of the cost thereof."

Which was read.

Also,

Bill No. 240

A Resolution entitled, "Resolution providing for a contract or contracts for the purchase and installation of valves in various

locations, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley for Mrs. Masloff presented

No. 328    Report of the Committee on Parks and Recreation for February 20, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 242

A Resolution entitled, "Resolution providing for an agreement or agreements with the Duquesne University Tamburitzans for the furnishing of dance performances to the residents of the City of Pittsburgh during 1980 and providing for the payment of the cost which is not to exceed \$10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

Mr. Robinson presented

No. 329 WHEREAS the City of Pittsburgh has embarked upon an ambitious and expansive economic development and city revitalization effort, and

WHEREAS, the major goal of these efforts is to generate and stimulate the general economy of the Pittsburgh area, its business, social fabric and cultural base; and

WHEREAS, the advent of Renaissance II has accelerated these efforts and provided substantive evidence of this City's progress; and

WHEREAS, local businesses and the employment of local individuals is a primary concern of the residents, business community and local government,

**NOW, THEREFORE**

BE IT RESOLVED that this Council and the Mayor on behalf of the citizens of the City of Pittsburgh encourage and implore those interested in assisting in the de-

velopment of the City of Pittsburgh to prepare and present, as part of their proposals, a process to substantially involve local businesses and local individuals in their development plans.

Which motion prevailed.

Mr. Robinson moved for approval.

Mr. Stone seconded the motion.

Mr. Givens:

Mr. President, I think the resolution is a very fine one, but I think it is adding some degree of bureaucratic red tape. I note in the—"Be it resolved that the City and this Council and the Mayor, on behalf of the citizens of the City of Pittsburgh, encourage,"—and I would go along with that conviction to encourage our local businesspeople to—and it drops down there. It indicates that we have to prepare and present as part of their local proposal a process to substantially involve the local business and local individuals in their development.

On the one hand I am reading and encourage, and I only read this out here today. I only received it here today. I don't know if I received it in my office or not. Possibly it was there, but going from encouraging to actually requiring, the way it reads to me, that businesses working with them in the City of Pittsburgh and Renaissance II. It is very hazy to me. We are talking about—how many dollars are we talking about? Just those people we have contractual agreements with in the City of Pittsburgh, and we are going to ask them to prepare and present as part of their proposal what they are going to do to involve the local people. I just wonder if this is adding something to our contractual agreements that is going to be very burdensome on many of the businesses.

Mr. Givens:

Where is the dividing line? Where is the division on this? Renaissance II, I looked at maybe the PPG Building, the U.S. Steel Building, some of the larger developments, but we have the day-in, day-out



process of contractual agreements with people in the City of Pittsburgh, and I find it very difficult to decide where the division line would be. Maybe the author might be able to enlighten us a little bit.

**The Chair:**

I agree with you, Mr. Givens, and to extend it a bit further, my problem with the resolution is that the Mayor hasn't followed through on his campaign promises to go into the communities and provide homes for the lower-income groups, and this no following up on campaign promises is the biggest crime in the City of Pittsburgh. He promised the people out there in the communities, and the promises haven't been kept.

**Michelle Madoff:**

Mr. Robinson, would you please clarify what you mean? What I understand is, you want a process. Do you want a hearing? You want some mechanism where the people who will have an input will be involved, is that correct?

**Mr. Robinson:**

The purpose of the resolution is to encourage and implore those persons who are going to be involved in development in the city to use local businesses and local individuals.

On a number of occasions, members of Council, including myself, have raised the question as to whether or not local people, local businesses are going to be involved in some of the major developments of the City. I think there have been several examples in which major efforts, some on the South Side, some in other parts of the City, have been launched, and local companies, local businesses, have been available to participate. Sometimes I think this is due to the fact that we, as public officials, perhaps do not say to those who come into our city that we would appreciate them utilizing local firms or local people. Hopefully, this resolution would alert them and others that as they prepare requirements and legislation

that they try to pass the message that as they develop our city, we would appreciate local people and local businesses having an opportunity to share and participate.

**Michelle Madoff:**

Mr. Robinson, doesn't that go against the mandating of the low-bid concept in closed bidding?

**Mr. Robinson:**

No.

**Michelle Madoff:**

How would that not conflict?

**Mr. Robinson:**

You are referring to a legal procedure, one that is established by state law. This resolution makes no reference to any state law and makes reference to no mandatory procedures. It would appear to me that at some point, as governmental officials in this City, we certainly want to take a leadership role in trying to encourage—I believe at the federal level it is called jaw-boning—that we would encourage individuals to work along with us.

This certainly in no way is an attempt to get anybody to circumvent the law or do anything not in keeping with their intention in participating in the development of our City.

**Michelle Madoff:**

Was I correct in my first question? What I interpreted your resolution to be was, the process would be one to have the people in the community who know best about their community. I am asking the same question. I like the concept. How do you do it?

**Mr. Robinson:**

Let me give you two examples. One example is seen in many cities around the country where you have what are known as

public-private contracts which are contracts between municipal governments and private industry. That is one way.

Another way is for government to do exactly what I am suggesting. It would appear to me to be very inconsistent for us not to take this position in the face of the economic situation in our City, and also what is supposedly our commitment to the citizens of the City of Pittsburgh and those businesses that are operating here. Certainly this does not in any way deal with the issue of public hearings, does not deal with any specific legal requirements, nor does it add any additional problems for any developer.

In the present development proposals for a multi-million dollar hotel to be adjacent to the convention center, there were certain specifications indicated in the daily newspapers, and those specifications were also sent out in the proposal package. Each developer was asked to respond to those and had a reasonable time to do so. All those proposals will be evaluated between now and October.

If you look at those requirements and specifications, you will see that the powers that be who wanted this hotel to be built wanted certain things. One of the things they wanted was something in the proposal that dealt with food preparation that could be related to the development of a convention center. This was a specification or requirement that the committee put in, because they felt that this is what they wanted. That committee also could have asked for exactly what my resolution asked for. A letter could have been sent expressing their concern or their interest. If this resolution will be passed, a copy of this resolution could have been passed. It just seems to me that it would be very difficult for us not to address the concerns of local businesses and local people who want to be employed as we go out and encourage others to come into our City and develop it.

**Mr. Givens:**

I had a question there, Bill, that wasn't

answered. Are we going to do this on just that business that is to deal with the City of Pittsburgh or get into a contractual relationship to be done between that person bidding on a particular job? Just about the hotel next to the convention center, that ties in to the Redevelopment Authority, although this authority is still to the governing body of the City of Pittsburgh, and they advertised in local papers, as well as other papers; but something like that, I can agree that this resolution would be advantageous, but when we get into a day-in, day-out type of contractual agreement, are we not putting a burden on all contractors, be they regular contractors, minority contractors, or anybody else bidding on certain jobs that the City of Pittsburgh does, a day-in, day-out type of situation.

**Mr. Robinson:**

The answer to your question is no.

**Michelle Madoff:**

Is this more of a philosophy, Bill? Do you want to see City people making the decisions?

**Mr. Robinson:**

I think, again, that we say that if we do not address the issue of local businesses and local people being involved in the development of our City, I am hard pressed to understand who it is we are representing.

**Michelle Madoff:**

I think everybody agrees. What I am suggesting is, could you clarify, hold on to your resolution and clarify exactly how you want to do it? We are with you as to concept. I don't understand how you want to do it. I don't want to give you lip service and say, "Yeah, Bill, I'm with you," but how do you do it? Maybe I'm stupid, but how do you do it?

**The Chair:**

Read the resolution, and you'll see what the man is saying.

**Mr. Robinson:**

The responsibility for implementing what our concern might be if this resolution were to be passed—

**The Chair:**

You want local businesses and local people involved in Renaissance II. What could be simpler than that?

**Michelle Madoff:**

How?

**The Chair:**

Get people from our area to do the work.

**Mr. Robinson:**

If you will let me, Mrs. Madoff, I will try to give you an answer to your question. I don't think it is the responsibility of this Council to tell any developer to come into the City all the specifics. We certainly have enough rules and regulations right now to deal with what they can and cannot do, but I do think it is well within our purview to suggest and encourage what developers might do to enhance our City. Any particular thing they choose to do which is going to enhance our City or develop jobs for our people or create a business opportunity for our businesses, I am for that. I think the American free enterprise system affords itself and affords others many opportunities to do exactly what I am suggesting. I am not going to spend my time going through each proposal submitted and saying, "here is how you can accomplish that." There are enough people trying to promote this City who can take this message and turn it into something very beautiful. I just think that we ought to be committed to making sure that local businesses and local people are part of the future development of this City, and this is exactly what I am asking this Council and the Mayor to support.

**Michelle Madoff:**

We all agree.

**Mr. Robinson:**

Then I assume you will vote for the resolution.

**Michelle Madoff:**

I am going to vote for it, but I am going to say that maybe the administration—perhaps you ought to meet with the administration. We passed an ordinance a year ago. How do you make them do it?

**Mr. Givens:**

I will abstain for the reason that I am hearing loud and clear from the business community that the government is ever getting more involved in the business community and costing them endless amount of labor on their part, and any contractor or developer working for the City of Pittsburgh saying in one quick line, "I am going to encourage local businesses and people to participate,"—that has to be spelled out in detailed information and that has to be part of the bidding proposal, and that is adding a lot of bureaucracy on any company bidding for work in the City.

**The Chair:**

Is there any further discussion on the resolution?

And on the question "Shall the resolution pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 6    Noes none**

Abstaining 2

(MR. GIVENS AND MR. O'MALLEY)

And a majority of the votes of Council being in the affirmative, the resolution passed finally.

The Chair presented

No. 330 WHEREAS, on March 1, 1980, Mr. Frank Martin will retire from service as an employee of the City of Pittsburgh; and

WHEREAS, Mr. Martin began his career in 1956 as Investigator for the Department of City Treasurer; and

WHEREAS, through hard work and dedicated service Mr. Martin progressed through the ranks, culminating his career as Assistant Engineering Programs Controller for Pittsburgh City Council; and

WHEREAS, Mr. Martin's outstanding workmanship will be greatly missed by this Council and by the entire City of Pittsburgh,

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh hereby recognize and thank Mr. Frank Martin for his 25 years of distinguished service and dedication to the City of Pittsburgh and wish him a rich and happy retirement.

Which was read.

Mr. Stone moved for approval.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Stone:

Mr. President, if I may, I would be remiss if I let this last resolution pass without comment.

Mr. Givens:

Mr. President, the talking on that resolution is dead.

The Chair:

Mr. Stone, please.

Mr. Stone:

I didn't realize that a favorable comment from this Council would cause such a stir, but, at any rate, relative to Mr. Frank Martin, he served the City of Pittsburgh well, as the resolution has indicated, in the Budget Controller's Office.

Having worked as part of the Capital Budget under the Finance Chairman, I would be remiss if I did not add my comments that he has performed his job with dedication, with ability, capabilities, and in addition to that he has shown the ability to be a fine gentleman in doing that function.

It is not easy to retire after a man has given 25 years to an organization. I hope I speak the wishes of all of us here that Frank Martin, in leaving with a warm spot from all of us, we hope that his future is with good health and he is rewarded in that aspect with a long and healthy life from what is to be his retiring here.

The Chair:

Thank you, Mr. Stone. I would think we all concur with your remarks.

Mr. Givens:

Mr. President, excuse me. On the same subject, I'm sorry I interrupted. I misunderstood Councilman Stone. I thought he was going to make reference to the previous resolution.

In regard to Mr. Martin, I can say, as a Councilman, every time I went before him to give me any type of help and assistance, he really bent over and helped out con-

siderably in every endeavor, and I would hope when he left this Council he left in such a way that he can enjoy his retirement. He has worked 25 enduring years for the City of Pittsburgh, and I think we are going to miss his expertise. He advised all of the Council members as to what was going on in that particular field of development within the City of Pittsburgh.

**The Chair:**

Incidentally, Mr. Martin told me he still intends to keep his hand in politics. He is going to run for re-election for committeeman in the 27th Ward, so if you can give him any help, he would appreciate it.

**Mr. Robinson:**

Mr. President, on a matter relative to the cleanliness of our City, I would like to have the City Clerk forward a letter to the Law Department outlining what powers the City has relative to going on to private properties in the City of Pittsburgh to perform acts relative to cleaning up those properties, and what if any powers we would need, and what actions we would have to initiate to acquire those powers that we don't have.

My concern is that many of the properties in the City of Pittsburgh that are privately owned are unkempt, and in an attempt, to not let the City get into any worse environmental condition than it is, perhaps we need to begin to take some action against those property owners, clean up the properties and charge those property owners in some fashion. I would hope that the City Solicitor would give us some direction in that regard.

**The Chair:**

Thank you.

**Michelle Madoff:**

One quick item, and one rather lengthy one. I tore out of the Post-Gaette, January 25, 1980, a notice that appeared several

times alerting City residents that they could get information on a very important matter. This happens to be assessments and appeals. I tore it out. I am going to give it to Mr. Perry. This is the type of ad that I think we need, in keeping with the spirit of the Sunshine Bills, when we have very important matters before Council, as opposed to legal notices.

I would like to pass it on, for example at budget hearing time even though we have hundreds of letters that go out, just a suggestion of the type of ad we might want to have.

Now, I have a very serious matter to discuss. Just before I got ill, Mr. President, I brought to the attention of Council my great concern about this payment of the filling of the caves at the North Side Fire Station and the lump-sum contract that had been undertaken with the blessing of Mr. Imhoff, albeit that he said it was a mistake and he did it because he thought it was an emergency. I pointed out that day that Royal Street also is an emergency, but they turned that over to Public Works and were able to save the City something like \$200,000. The bids were obtained in two days, and they could have been obtained by phone in three hours.

I had a meeting that morning and reported back that I was most distressed. I seemed to be the general opinion of the people that morning—I had talked to five contractors who agreed that that contract could not have cost one penny more than \$120,000, but if you wanted to be generous it could go to \$150,000. We're talking about an additional contract of \$335,000.

Now, inadvertently, something has come into my possession, because one day Mr. Brophy was not here. I went to his office and asked for the folder on the North Side Fire Station. The young woman couldn't find the Fire Station folder, but she found memos. One was the original contract with Crown that was going to be signed at \$350,000. I have a whole folder in my office, but what I got was really fascinating.

It is a document which is dated October 26, and I presume it came into being because one of us, and, I presume, the administration, was distressed about the story that appeared in the papers on October 19, "no-bid contract," and Mr. Imhoff was giving Mr. Brophy chronology site improvement for the North Side Fire House. I started to look at this contract, and it starts off, May 16, 1978, the bids for demolition were opened in City Council. Low bidder was Omslaer. I didn't remember that, and his bid was \$19,800. Well, we will get to it later, but it turns out that the bid is only \$16,800.

The chronology goes on, October 17, "I advised Director West the buildings were still occupied, delaying demolition." I think we all remember that. The buildings were supposed to be vacated and ready for demolition. Because they were not, Mr. Omslaer was not allowed to proceed.

In January of the same year, "I called Mr. Omslaer and I told him to attempt to raze one of the buildings in the rear. He advised that he had underbid the job and after the long delay wanted to be relieved of the contract."

January 23, "I sent him a letter terminating his contract." Being a novice, I was bright enough to do a little research. The first person I contacted was Mr. Omslaer. "Why did you retract your bid?" I got an education. He retracted his bid, because the bids started in May of 1978, and he is basically in the, not scrap, salvage business, and because he was in the position, if he had the summer months, that is basically his business, and we ought to think about that. He could have conservatively made himself \$165,000 in salvage, not scrap, from selling the bricks, and there were over a million bricks, and selling the steel beams at \$3 a beam.

It is very interesting, in my conversation—I had a meeting with Paul Brophy yesterday, and it was a very satisfactory meeting from my point of view.

#### **The Chair:**

You're meeting on Sundays now?

#### **Michelle Madoff:**

I'm sorry, Friday. I have been ill. We met on Friday afternoon for an hour and a half, and I came in especially to see him. It was a very satisfactory meeting from my point of view, and very enlightening. We pulled out some material that I had asked for, and would you believe that in the original bid the estimated price when we estimated the cost was only \$25,000, and then we started to compare.

Why did it go from 25 to 70? Indeed, there was another one for a two-story warehouse to be demolished. That did not come to \$45,000.

I will go on to a little more enlightening. We get to March 13 of 1979. We are almost a year, approaching the summer months. "After properly re-advertising the site for bids, the low bidder was Crown Wrecking at \$66,875." The contract says including salvage. Salvage for somebody like regular demolition companies who do not deal in salvage but deal in scrap would be only about \$60,000 so we're talking about \$60,000 and \$66,800. "The high bid was \$66,450. That was Noralxo. Omslaer did not re-bid the job."

I called Omslaer. Not only did he tell me, A, that he did not bid because of the summer months and he would lose that salvage, but, B, when I went back and looked at \$25,000, more importantly, he told me a very interesting story. He told me he had re-bid again. I looked to see the bid here, and he told me a Mr. Brown was the low bidder. Mr. Brown is Zach Winston's brother-in-law, and I asked Mr. Imhoff why that wasn't in here. He said they were thrown out because we wanted a time frame to make sure the property is ready in 75 days, which is a sensible reason. I have no quarrel with that.

#### **The Chair:**

Why was Omslaer's bid withdrawn the first time?

**Michelle Madoff:**

He had only bid \$16,800, and he asked to be let off the hook. It would be \$160,000 salvage, but you don't get salvage in January. Then he doesn't re-bid again because of the 75 days, and he is worried about rain, and he doesn't have that kind of operation to guarantee it. He has re-bid again. This is the third time he has not re-bid, but we are not informed of the thing. That was a second bidding.

The thing that was very interesting, he said, "Incidentally, Mrs. Madoff, I called Mr. Imhoff and I told him about the caverns." I said that we knew about that. He said, "No, Mrs. Madoff. Mr. Gene Robson who works with me had gone down into the caverns, and we walked those caverns." I said, "What, one or two caverns?" He said, "No, five to eight caverns." He started describing them. I looked at the map. It was a hallway with archways coming off. He said, "I went down with this Mr. Robson, because I was afraid, there were so many of these caverns that if my flashlight went out, I may never get out of there." It seems to me there is validity to that story.

We went back and looked at the difference of the bids. The difference of \$45,000 was that the two buildings, the one, and the two-story warehouse, and these caverns to be filled, so he is checking into some of this information.

I could go on. I don't want to drag it out. I will give you the high points. March 21 and April 18, they come to Council. April, 1979, "Council hearing in progress." It was on how they were going to pay. April, 1979. They come back May 22 about where the code account is coming from. July, 1979. "During the hearing in City Council, I advised that caverns were discovered under the site. They were large, arched brick and stone cooling rooms used for storing beer years ago. Crown Wrecking Company had found the caverns." How could Crown have found them when it indicates by the difference of the two contracts, the difference and the fact that Omslaer had called

Imhoff and was afraid to be trapped in them? It has a ring of authenticity about it.

We go on. I could not tell who was telling the truth. It gets to the key point. He talks about August 2, he awards contracts without a bid because he thought it was proper. September, 1979, "Work started on the excavation. An invoice was received for the demolition cost."

October 19, "The Pittsburgh Press published 'no-bid contract.'" He goes on, "It was handled as an add-on because the contractor was on the site, and we thought it was legitimate." October 22, 1979, "I was requested to obtain a unit price for slag based on Public Works figures," and, as you know, they sat Public Works down, and they were thinking about very expensive granulated slag. The original contract was \$13.44. "Public Works quoted \$10 to \$12." Here is the key. "Crown will provide"—if memory serves me well, I had specifically requested, and I had sent a memo to Mr. Imhoff and Mr. Brophy requesting what was used and at what price, because we were all assured that that \$336,000 would be justified. It says, "Crown will provide a complete breakdown on costs at the conclusion of the job. If 35,000 tons of slag at \$5.55 per ton equaling almost \$200,000 is not used, the City will be credited for unused material." Where I come from, they used 14,000 tons—I have seen the bills—at \$5.55 a ton, which is roughly \$75,000.

I have talked to all the contractors in the business that will speak. Some of them will not speak, because they are friendly with certain people. Some were involved, some not involved. They all said that when you take air, you put something into compact slag, that the cost should never have been more than \$2 to \$3 a ton. That is where I came up with the figure originally, \$120,000 overall. Maybe you could justify \$5 a ton, and that would come to something like maybe \$150,000. How did this whole thing get to be such a stinking mess?

I get a frenetic, frantic, paranoid call

from Mr. Imhoff, "What do you mean? You have suggested holding up payment of two-thirds of the bill to \$224,000?" Because we didn't see the bill. I want to see a bill. I want to know what was used, how it was put in, what was the tonnage. I think we had inadvertently voted to pay the \$224,000 on December 24, and the only reason it was sent back to us was that we had not given a code account, and Imhoff was spastic that we had not sent this thing out. I think there are a lot of things that have to be checked.

Now, since this has come out, a number of people are talking about a lot of things. I felt that some of it is so damaging, I have spoken to the Law Department. If I go public and say what I have been told, there is going to be a lot of false rumor. If I go to the media, how can the media check on a lot of things? How can they get things under oath? I'm talking about the method in which we give contracts. Some of the things, many people have now said, "You can use my name. I will go into court and say this." People say, "I have not been treated fairly. This is what happened. You can use my name." I think it is time, and I am thinking very seriously of going to see Colville. If somebody wants to do an investigation, I think it's important enough to subpoena people to get this information.

#### **The Chair:**

Michelle, if I may, when the contract is let, and the argument given by Brophy's department and by Building Inspection was that it was an emergency thing that somebody was going to be killed, and they had to let the contract, it was logical to let it to the contractor on site. In all fairness, no one on this Council at the time in question, and certainly the Mayor's administration, someone did ask the Law Department for an opinion, and the Law Department said it was completely legal. The thing is, if the work hadn't been done, the contractor can justify using those supplies, and the supplier definitely has to be paid, the contractor has to be paid. If we can prove he didn't buy the supplies, that is something else. I don't

see how you can get into a suit unless you can prove it. You're saying the man is a thief. He has bills, billed for material he didn't use—

#### **Michelle Madoff:**

I can quote very specifically. I am leaving town Friday. I want to be sure that not one cent is paid of that bill until we have all the final bills in and they are reviewed by Mr. Ray—not Ray Johnson, but the other Ray in the Budget Controller's Office who is an engineer and knows how to do some checking.

#### **The Chair:**

You are not talking about the same people in the Controller's Office I am. The only mistake in this matter, it was a responsibility of the City of Pittsburgh and not the contractor, not the supplier, so I said with no stretch of the imagination that if these people are willing to say you have the money coming to them, we can't deny that unless you can prove otherwise.

#### **Michelle Madoff:**

Mr. DePasquale, you are absolutely right, and at that meeting that took place of the principals, I looked at Mr. Crown and said to him, "Mr. Crown, if somebody offers you a million dollars, you take it. You were offered \$336,000." The job may be worth \$150,000. I am not addressing myself to you. You know that one of the inspectors who had worked for Public Works who was only there to make sure we had a road site—Public Works did have somebody there. I can get the gentleman's name. He offered to take the weight bill. A weight bill is a slip, and when you deliver the slag, it tells you what was empty, who signed it, how much the thing weighed, quantity, and so on. He offered to take the weight slips from Mr. Imhoff. He said he would get them later from Crown. Crown said he would get them later from Imhoff. He was distressed. He now says he wasn't going to say anything. He then spoke out and said that job wasn't done right. Those crates weren't filled.



They hired Penn Drilling. Let me give you the latest hot flash. The man, meaning Mr. Crown, is now filling with a processor material called Secrete, which runs \$38 a square foot or square yard, and if he thinks he is coming back and billing us, he's got another thought coming, from where I sit.

The only thing I'm asking, the reason I'm going through this whole song and dance. Mr. Brophy has promised to get all the information I don't have. He is going to talk to people and find out what they know about what happened. You are right, Mr. DePasquale. We put out a lump-sum contract. We are committed to that. Somebody's head has got to roll for that. That is number one.

Number two, I am not going to be here. I want the word of this Council that that is not paid until the bills are checked.

**Mr. Givens:**

I think Michelle has brought up serious points.

**The Chair:**

She's talking about going to the District Attorney.

**Mr. Givens:**

I would submit to the Councilwoman that all of us within this Council, when we were sworn into office, it was to uphold this particular office, and along with that we have already invested in this Council by the Home Rule Charter, which indicates that any of us can conduct public hearings, testimony, where we can subpoena any records or anything like that and appeal wrongdoing within an contractual agreement, and we can actually put people under oath.

**Michelle Madoff:**

Is that true?

**Mr. Givens:**

That is true under the Home Rule

Charter. I had asked the Chief Clerk if he would ask Mead Mulvihill to give us a legal opinion as to what the powers of Council are in accordance with the Home Rule Charter.

**The Chair:**

Dick, I think we had those powers even before the Home Rule Charter.

**Michelle Madoff:**

I didn't know we had them. I have to be truthful I wasn't aware. I didn't remember all of them. I also don't know if I am experienced enough to conduct that kind of hearing without a lot of preparation, but some of the things, people are so incensed who don't get some of the contracts, and they feel —

**Mr. Givens:**

Certain inferences are being made on a company.

**Michelle Madoff:**

This has nothing to do with the company. This has to do with procedural methods within the Department of —

**Mr. Givens:**

You are making reference to one particular company.

**Michelle Madoff:**

They got lucky. I'm talking about, how did Imhoff justify what he did, and I can't see any justification for it. A lot of information has come out because this has all come to light, because the media has taken about what this gentleman said, and people are calling me. They know I have an interest, and they are telling me things. I don't know if they are true or not. If they are, somebody ought to check them.

**The Chair:**

Vince, would you look into that?

**Parliamentarian:**

The procedure Councilman Givens suggested is the right way to do it.

**Mr. Stone:**

An individual Councilman does not have that power. The body does.

**Michelle Madoff:**

Mr. Stone, as a body, if we decided to hold our own investigation, what liability do we have as a Council, as a body?

**Mr. Stone:**

I was addressing myself to a question.

**Michelle Madoff:**

That's why I don't know what procedure to take.

**Mr. Stone:**

But an individual Councilman does not have subpoena power, but this body does, Mr. President, let me just bring this thing into light somewhat. I don't think it is any secret that I have been concerned with that Chestnut Fire House for some time. Those bids did take some time, because they want to move the tenants out, for some reason or another. After the original bid was on, Mr. Imhoff did come to this Council and indicate that they found the caverns. He did indicate that the contractor was there and wanted to deal with it. This Council gave them the okay to go ahead. That did not mean that Council gave them the okay

necessary to carry out the obligation. This matter was on target to be resolved, but at this moment, relative to any payment relative to that particular area, every bill that comes from that particular job will be checked before payment.

**Michelle Madoff:**

Mr. Stone, I am going to be away. I presume I can take your word that that will be handled by yourself as Finance Chairman.

**Mr. Stone:**

As far as that particular job is concerned, that will be checked out.

**Mr. O'Malley:**

In respect to Mrs. Madoff and all her work, she should be commended. I think no payment should be made until Mrs. Madoff is totally satisfied.

Mr. Stone moved to excuse Mrs. Masloff for absence from this meeting.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, February 11, 1980.

Mr. Coyne seconded the motion.

Which motion prevailed.

And on motion of Mr. O'Malley

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, March 3, 1980

No. 9

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't. City Clerk

Pittsburgh, Pa.  
Monday, March 3, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God; indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 331 Resolution authorizing the Mayor to issue and the City Controller to

countersign a warrant in favor of Donald J. Lee, Attorney at Law, in the amount of \$1,875.00, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 332 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting interim approval of payment of \$560.00 for purchase of 8 lineal feet of 54" Precast Concrete Pipe in connection with "B" Program Rehabilitation of Various Street and Park Roads.

Which was read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 333 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,130.61 to L. D. Astorino for additional sub-surface studies and recommendations in connection with design and construction of No. 22 Engine Company, Arlington Avenue, Controller's Contract No. 23659, payable from LB 79-11 Renovation of Various Public Buildings.

Also,

No. 334 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of

payment of \$25,000.00 to Tedco Construction Corp. for extra work at Hill District Branch Carnegie Library, to be payable from LB 79-06, Miscellaneous Renovations Carnegie Libraries, Department of Lands and Buildings.

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 335 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,433.20 for emergency purchase of Heating Oil, and for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 336 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment to General Motors Corp. for emergency specialized repairs of \$16,811.53, payable from Code Account 1150, Bureau of Automotive Equipment.

Also,

No. 337 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$1,446.00 to Doerr Brothers, Inc. for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Also,

No. 338 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$1,540.06 to Baum Boulevard Dodge, Inc. for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Also,

No. 339 Communication from Law-

rence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$5,490.73 to Mack Trucks, Inc. for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Also,

No. 340 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$16,082.91 to American La France for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Also,

No. 341 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$6,949.37 to Foss Ford, Inc. for emergency specialized repairs, payable from Code Account 1150, Bureau of Automotive Equipment.

Which were severally read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 342 Resolution providing for the issuance of warrants in favor of Data Terminal Leasing Company in the aggregate amount of \$12,000.00 for emergency rental of a data processing terminal for the City Treasurer's office and the City Controller's office, and for the payment thereof.

Also,

No. 343 Resolution providing for the

issuance of warrants in favor of Ateco Equipment Company in the aggregate amount of \$17,000.00 for the emergency rental of ambulances for the Department of Emergency Medical Services, and for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 344 Resolution providing for an agreement or agreements with the St. Clair Athletic Association, Senior Citizens Council for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 345 Resolution amending Res. No. 1103, approved Dec. 10, 1979, entitled "Providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture for the Department of Personnel and Civil Service Commission, for the payment thereof", by increasing the amount from \$3,720.50 to \$4,779.66.

Also,

No. 346 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Portable Stage for the Department of Parks and Recreation and for the payment thereof.

Also,

No. 347 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment for the Department of Lands and Buildings and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

**Mr. Givens for Michelle Madoff presented**

No. 348 Resolution providing for the issuance of a warrant in favor of Rockwell International, Municipal & Utility Division, P.O. Box 360891M, Pittsburgh, PA 15251, in the amount of \$2,274.00 in payment for the purchase of repair clamps furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 349 Resolution providing for a lease from Western Pennsylvania Water Company of certain property on Becks Run Road, 29th Ward, for a term from April 1, 1980 to September 9, 1980 at a rental of one dollar for recreational purposes.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 350 Resolution providing for the transfer of funds in the amount of \$35,000.00 from Code Account 45, Health Insurance to STF #2, "Young Adult Conservation Corps Project."

Which was read and referred to the Committee on Finance.

Also,

No. 351 Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in

connection with the 1980 Summer Recreation Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof.

Also,

No. 352 Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1980; and providing for the payment of the cost which is not to exceed \$47,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Misc. Services, Department of Parks and Recreation.

Also,

No. 353 Resolution providing for an agreement or agreements with part time, as needed Community Education Instructors in connection with the 1980 Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof.

Also,

No. 354 Resolution providing for an agreement or agreements with University of Pittsburgh in connection with the 1980 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof.

Also,

No. 355 Resolution providing for an agreement or agreements with Ozanam Cultural Center for professional services for a recreational, cultural, and educational program for residents of the City of Pittsburgh and providing for the payment of the costs thereof.

Also,

No. 356 Resolution providing for an agreement or agreements with Carnegie Mellon University in connection with the 1980 Summer Recreation Program of the

Department of Parks and Recreation and providing for the payment of the costs thereof.

Also,

No. 357 Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1980; and providing for the payment of the cost which is not to exceed \$15,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 358 Resolution providing for the issuance of warrants in favor of the Police Officers listed below, in the amount of \$16,105.04, in payment for travel and meals incurred while in training; and providing for the payment thereof.

Also,

No. 359 Resolution providing for the issuance of a warrant in favor of Michael's Marine Sales and Service, 2101-07 West Liberty Avenue, Pittsburgh, PA 15226, in the amount of \$491.75, in payment for repairs to the River Patrol Boat, furnished for the benefit of the City; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 360 Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous Services in connection with the Emergency Street Phone Network Project, Phase II, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 361 Resolution providing for an agreement or agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification Program in highly visible vacant lots in designated Community Development Neighborhoods for an amount not to exceed \$40,000.00.

Also,

No. 362 Resolution providing for a Supplemental Agreement or Agreements with Coopers & Lybrand for professional auditing services specifically designed to verify the financial data input to the City of Pittsburgh Capital Project System, increasing the amount provided in the Original Agreement (#24020-F, dated August 21, 1979) from an amount not to exceed \$23,500.00.

Also,

No. 363 Resolution amending Res. No. 600, approved June 27, 1979 entitled "A Resolution amending Res. No. 527, approved May 22, 1978 entitled a Resolution providing for the Mayor and the Director of the Department of City Development to enter into an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof".

Also,

No. 364 Resolution providing for a Supplemental Agreement or Agreements with the City of Pittsburgh and the Sanborn Map Company, Inc., so as to increase the amount of the Original Agreement, #23560-F, dated November 6, 1978, from an amount not to exceed \$35,000.00 to an amount not to exceed \$39,350.00.

Also,

No. 365 Resolution providing for a

Supplemental Agreement or Agreements with the Young Men's Christian Association, a non-profit organization, located at 600 West North Avenue, so as to increase the amount of the original Agreement (Contract #23930F), dated July 2, 1979, from an amount not to exceed \$75,000.00 to an amount not to exceed \$95,882.00.

Also,

No. 366 Resolution providing for a Supplemental Agreement or Agreements with the Polish Hill Civic Association, so as to increase the amount of the original Agreement, dated March 6, 1979, Contract #23703-F, from an amount not to exceed \$40,000.00 to an amount not to exceed \$59,000.00.

Also,

No. 367 Communication from Paul Brophy, Director, Department of Housing, requesting reimbursement of \$325.00 to Andrea Wright-Banks, for expenses incurred in attending Seminar on Housing for the Handicapped, Charleston, West Virginia, January 7-9, 1980, payable from Code Account 1371.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 368 Resolution providing for the issuance of a \$859.56 warrant to Veronica G. Garner in full settlement of claim for automobile damage; and providing for payment thereof.

Also,

No. 369 Resolution providing for the issuance of a \$890.25 warrant to William Hodak in full settlement of claim for automobile damage; and providing for the payment thereof.

Also,

No. 370 Resolution providing for the

issuance of a \$854.00 warrant to Thomas J. and Donald King in full settlement of claim for property damage; and providing for payment thereof.

Also,

No. 371 Resolution providing for the issuance of a warrant to Allen F. Anderson, Sr. and Margaret Anderson in the amount of \$3,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also,

No. 372 Resolution providing for an Agreement or Agreements with consulting services to assist the City of Pittsburgh in acquiring federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof.

Also,

No. 373 Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring State assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof.

Also,

No. 374 Resolution providing for an agreement or agreements with physician or physicians to provide physical examinations for CETA applicants and providing for the payment of the costs thereof.

Also,

No. 375 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Cecilia Richardson and Charles Kline, to attend U. S. Department of Labor Training Session, Lancaster, PA, March 24-28, 1980, at cost not to exceed \$950.00, payable from C-EOPP Trust Fund.

Also,

No. 376 Communication from John McAllister, Manager, City Information Systems, requesting interim approval of payment for the repair and upgrading of five computer room air conditioning units, at cost not to exceed \$4,000.00 payable from Code Account No. 1043.

Also,

No. 377 Communication from Richard S. Caliguiri, Mayor, submitting an updated Table of Organization which reflects the 1980 budget in conformance with Section 227 of the Home Rule Charter.

Which was read and referred to the Committee on Finance.

Also,

No. 378 Resolution providing for an agreement or agreements with the Salvation Army for professional services in connection with The Public Inebriate Program; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 379 Report of the Committee on Finance for February 27, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 246

A Resolution entitled, "Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00 from Code Account 1099-2 to CETA-T.2 Trust Fund and CETA-T.6 Trust Fund to



pay for wages and fringe benefits paid to CETA participants over the authorized federal salary of \$10,000.00 per annum."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 259**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Garfield Incorporated, in the amount of \$3,656.00 in payment for work performed at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

**Bill No. 264**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of D. R. Hamburg, Controller's Contract No. 22884, in the amount of \$1,300.00 as

final payment for extra work in connection with the Solar Mechanical System for No. 2 Police Station, without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

**Bill No. 265**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$6,631.42, in payment for corrective rain water work furnished for the benefit of the City in connection with the Unification of Maintenance Services at Carnegie Library, and providing for the payment thereof."

Which was read.

Also,

**Bill No. 280**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$3,800.00 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

**Bill No. 281**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Arsenal Construction Company in the amount of \$5,590.00 in payment for work performed for the emergency repair of lighting towers, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 282

A Resolution entitled, "Resolution transferring \$25,474.98 from Project Code 4-10-00-0001-73 to the LPWEA Trust Fund and providing for the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$36,598.23 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale

(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 290

A Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1979 to the same accounts for the year 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Stone:**

On Bill No. 290, I believe all of you have that bill before you on your desk, it deals with the unencumbered portion of Code Account 44—it is being changed from \$783,946.88 to \$410,000.00, and Code Account 54, Insurance Plan, Municipal Employees is being changed, we have reviewed and appropriated \$100,000.00.

If you will turn to page 3, Department of Personnel and Civil Service, Code Account 1100, Miscellaneous Services, will be \$10,000.00 Unencumbered.

On page 4, Code Account 1126, under Supplies, Salaries and Wages, Regular and Temporary Employees will be \$25,000.00.

Under Bureau of Tests, Code Account 1133, Salaries, Regular Employees, will be \$12,000.00.

Bureau of Automotive Equipment, Code Account 1140, Salaries, Regular Employees will be \$12,000.00, Code Account 1141, Salaries & Wages, Regular Employees will be \$60,000.00 and then Code Account 1150, Outside Repairs, Contract will be \$35,000.00 and Code Account 1154, Motorized Equipment will be \$92,000.00.

On page 6 under Painting Division, Code Account 1633, Materials, will be \$8,800.00.

On page 8, Zoological Park Commission of Pittsburgh, Code Account 1854, Coal and Oil will be \$17,400.00, Code Account 1858, Concessions Purchases will be \$3,500.00.

The total Unencumbered Amount — General Fund will change from \$805,831.95 to \$807,585.07.

**Mr. Givens:**

I second the motion.

Relative to the report of the total budget itself, I recall the City of Pittsburgh won

a court case involving the parking garages downtown and them overcharging people.

**Mr. Stone:**

I think it was the parking tenants that were the beneficiaries.

**Mr. Givens:**

The City disputed that with the lawyer right?

**Mr. Stone:**

They found out that the parking garages were overcharging the people.

**Mr. Givens:**

So it comes back to us.

**Mr. Stone:**

We don't get any money as I understand it, since they were overcharged for parking, when they build new garages it will go back to them.

**The Chair:**

So we should have coming back to the City of Pittsburgh a million and a half dollars.

**Mr. Stone:**

Indirectly, I think it will come to us.

**Mrs. Masloff:**

Some parking operators were promised additional parking garages when they are built and to pay to the City any dollars, the difference, I think that is how it went.

**The Chair:**

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the amendment was approved.

Also,

Bill No. 291

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Frederick A. Boehm, Esq., in the amount of Two Thousand Nine Hundred Twenty-Six Dollars and Six Cents (\$2,926.06) for work in addition to the original contract amount of Thirty Thousand Dollars (\$30,000.00) on Controller's Contract No. 21828 furnished for the City in connection with the 1979 negotiations with the Fraternal Order of Police, Fort Pitt Lodge No. 1 under the authority of Section 4 of said contract; and repealing Ordinance No. 376 of 1971."

Which was read.

Also,

Bill No. 292

A Resolution entitled, "Resolution providing for the issuance of a \$778.38 warrant to Lucy Otten and J. L. Otten in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 293

A Resolution entitled, "Resolution provid-

ing for the issuance of a \$885.00 warrant to Pennsylvania Manufacturers' Association Insurance Company and Tastykake, Inc., in full settlement of claim for damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 294

A Resolution entitled, "Resolution providing for the lease of certain property at Room 608 of the Manor Building, 1st Ward, from April 1, 1980, for a term of one year to house the operation of the City CETA Private Sector Initiative Program, upon certain terms and conditions; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 380 Report of the Committee on Planning, Housing and Development for February 27, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 116

A Resolution entitled, "Resolution approving the revised proposal dated January, 1980 for redevelopment activities in Redevelopment Area No. 36, Clifton Park, located in portions of the Twenty-Fifth and Twenty-Sixth Wards of the City of Pittsburgh; approving Modification No. 1 to the Redevelopment Area No. 1 to the Redevelopment Area Plan; and making certain findings related thereto."

Which was read.

Also,

Bill No. 117

A Resolution entitled, "Resolution amending Ordinance No. 133 entitled, 'Authorizing the Mayor, the Director of the Department of Public Works, the Director of the Department of Water, and the Director of the Department of Lands and Buildings, for and on behalf of the City of Pittsburgh, to

enter into a Cooperation Agreement with Urban Redevelopment Authority of Pittsburgh, in furtherance of the redevelopment of Redevelopment Area No. 36 in the 25th and 26th Wards of the City of Pittsburgh, providing for the vacation of certain streets in the redevelopment area; the conveyance of all the City's right, title and interest in and to said vacated streets, and other real property in said area to the Urban Redevelopment Authority of Pittsburgh; the improvement of certain rights-of-way in said area and the making of a payment by the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh and setting forth the terms of the agreement by allowing for the provision and dedication of certain site improvements, vacation and conveyance of certain streets and ways, vacation and abandonment of certain sewer and water lines, inclusion of flood plain requirements, adoption of non-discrimination clauses, and changes in the financing of the project."

Which was read.

Also,

Bill No. 118

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$817,475 to the Pennsylvania Department of Community Affairs for the Clifton Park Project."

Which was read.

Also,

Bill No. 287

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the amount of \$2,650,000 to the Pennsylvania Department of Community Affairs for the North Shore Project."

Which was read.

Also,

Bill No. 288

A Resolution entitled, "Resolution authorizing an Amendatory Cooperation Agreement for the North Shore Redevelopment Project providing for conveyance of certain public property, vacation of streets, correction of a typographical error, and for certain changes in the financing of the project."

Which was read.

Also,

Bill No. 316

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with the Charles E. Davis Construction Co., Inc., for an amount not to exceed \$20,000 under the Neighborhood Housing Fund."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 381 Report of the Committee on

Supplies for February 27, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 276

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Air Masks and Composite Cylinders for the Pittsburgh Fire Department, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens for Michelle Madoff presented**

No. 382 Report of the Committee on Water for February 27, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 278

A Resolution entitled, "Resolution provid-

ing for a contract or contracts for the purchase and installation of fire hydrants and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

No. 383 Report of the Committee on Parks and Recreation for February 27, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 284

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$80,000."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Flaherty presented

No. 384 Report of the Committee on Lands and Buildings for February 27, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 267

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended."

Which was read.

Also,

Bill No. 268

Resolution repealing Item (B) of Resolution No. 536, approved June 7, 1979 to cancel sale of property in the 15th Ward on Georgekay Road as requested by the purchaser Thomas J. Longo, due to illness and financial difficulties. Hand money of \$200.00 to be returned by the Department of Lands and Buildings.

Which was read.

Also,

Bill No. 269

Resolution repealing Resolution 1060, approved 11/26/79 and reinstating Resolution 361, approved 5/5/77 for the sale of property in the 19th Ward being a vacant lot rear of Ruth Street to Felix Cimillo and Maria Cimillo, his wife, for the sum of \$250.00. Therefore, Resolution 361, approved 5/5/77 is hereby re-enacted.

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Mr. Givens presented

No. 385 Resolution urging the Congress of the United States to pass legislation reauthorizing funding for General Revenue Sharing, Community Development Block Grants and certain portions of the CETA Programs;

WHEREAS, federal aid to local governments may be under severe constraints as the President and Congress work toward a balanced 1981 budget; and

WHEREAS, General Revenue Sharing (GRS) and Community Development Block Grant (CDBG) Programs, along with the youth employment and training portions of the CETA Programs, all are vital to the economic health of our City; and

WHEREAS, all of the above-mentioned programs will expire on September 30, 1980 unless reauthorized.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh urges the Congress of the United States to pass legislation reauthorizing funding for General Revenue Sharing (GRS) and the Community Development Block Grant (CDBG) Programs and the youth employment and training portions of the CETA Programs.

Which was read.

Mr. Givens moved for approval.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Robinson presented

No. 386 WHEREAS, Reverend Elizabeth Scott, an ordained Elder in the African Methodist Episcopal Church, is Executive Minister of University and City Ministries; and

WHEREAS, she recently returned from Iran serving as one of the 49 invited American delegates; and

WHEREAS, her commitment to peace through the gospel and her accomplishments as a leader have earned her the respect of humanity, the goodwill of her community and the love and appreciation of her church and constituents; and

WHEREAS, on March 2, 1980, the Christian Education Department of Trinity A.M.E. Church held a recognition service in her honor.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Members of Council on behalf of the citizens of the City of Pittsburgh hereby commends and salutes the Reverend Elizabeth Scott for her great achievements.

Which was read.

Mr. Robinson moved for approval.

Mr. Stone seconded the motion.

Which motion prevailed.

The Chair presented

Bill No. 387

Communication from Mayor Caliguiri submitting the name of Louis R. Gaetano of 2428 Rose Garden Road as Director of the Department of Public Works.

Which was read, received and filed.

Also,

Bill No. 388

Resolution approving the appointment of Louis R. Gaetano of 2428 Rose Garden as Director of the Department of Public Works.

Which was read.

The Chair:

Is there any discussion on the appointment?

Mr. Stone:

Mr. President, I would like to say one thing relative to Mr. Gaetano. I think Mr. Gaetano has shown the capability of handling the job for which the Mayor has sent his name in nomination. He has shown an obvious ability to stand up when the occasion called. He has shown a knowledge of the position that he has been nominated for



and I would not like to leave that out because it is very obvious. His credibility is not suspect. He has been with the City of Pittsburgh for 23 years, he has been watched by his peers for 23 years and he has withstood that test of time. He has been our Director, under the name of Deputy Director since Director Ruff has left us.

I find him to be, personally, and I think this Council—refreshing, that in the last seven years, this is the first promotion to come from within the ranks of those people working for the City of Pittsburgh. I sincerely hope that the Administration will let this Department Head manage that office because I can see nothing but good coming from him. I would waive in this particular instance the waiting two weeks for his meeting to question him because I think he has been before us many, many times. I move for a favorable adoption of this nomination.

**Mr. Coyne:**

I would like to make a few comments on what Mr. Stone said of Director Gaetano. He is very cooperative. I have had the pleasure of working with him on several occasions and he was very cooperative in giving the information that we needed. I think he is the best person for that position, so I will second the motion.

**Mr. Givens:**

I believe Mr. President, in being Chairman of Public Works for two years, I had many occasions to with Lou, particularly on traffic signal stations and found him to be very cooperative, informative and knowledgeable of the position.

**Mrs. Masloff:**

I recommend him because he is so handsome.

**The Chair:**

I would like to comment on what Mr. Coyne and Mr. Stone have said. In regard

to Mr. Gaetano, he has had a lot of years of experience and having the ability, he would certainly be qualified, he is already an employee and is not an outsider. I hope that in the future we can have more of these kinds of promotions.

**Mr. Stone:**

We can't hold him up any longer, he has already lost too much money.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**Also,**

**Bill No. 387**

Communication from Mayor Caliguiri submitting the name of Ronald C. Schmeiser of 5612 Aylesboro Avenue as City Treasurer.

Which was read, received and filed.

**Also,**

**Bill No. 390**

Resolution approving the appointment of

Ronald C. Schmeiser of 5612 Aylesboro Avenue as City Treasurer.

Which was read.

**Mr. Stone:**

Mr. President, if I may, I would like to move to hold this nomination for two weeks. Let me say that it is not because of any knowledge that I have that will affect my vote on Mr. Schmeiser, but he is not to take office until April 1, 1980. He has not been with the City and I feel for his benefit and our benefit and the City of Pittsburgh, he ought to be here to answer some questions we might have on Wednesday. I move to hold this for two weeks and invite him to the Finance meeting.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to excuse Michelle Madoff for absence from the meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Tuesday, February 19, 1980.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**,

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, March 10, 1980

No. 10

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAV...Ass't. City Clerk

Pittsburgh, Pa.  
Monday, March 10, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

#### ABSENT:

Mr. O'Malley

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 391 Resolution authorizing the issuance and payment of a Semi-Final Esti-

mate to Bouquet Construction Company, in conjunction with Sidewalk Construction Various Locations and Other Work Incidental Thereto, (Community Development) Controller's Number 22000-F, and reducing the retainage percentage from ten (10%) percent to one (1%) percent.

Which was read and referred to the Committee on Finance.

Also,

No. 392 Resolution creating a special trust fund for the deposit of a grant from Warner Cable Corp. of Pittsburgh for community communications.

Also,

No. 393 Resolution vacating Acosta Way from Meyers Street East and Alries Street in the 29th Ward of the City of Pittsburgh.

Also,

No. 394 Communication from Louis Gaetano, Deputy Director, Department of Public Works, requesting permission for Marsha L. Clark, to attend Grantsmanship Training Program Seminar, Pittsburgh, PA, March 24-26, 1980, at a cost not to exceed \$370.00, payable from Code Account No. 1643, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 395 Resolution amending Item (C)

of Res. No. 920 app. Oct. 12, 1979 for sale of property in the 6th Ward on 1224 Heron Avenue, Block 26-E, Lot 200 to Donald Thinnies by changing Lot size from 20.33 x avg. 121.25 to read 20.33 x 71.68. All else in Item (C) of Res. No. 920 shall remain the same and in effect.

Also,

No. 396 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were read and referred to the Committee on Lands and Buildings.

Also,

No. 397 Petition from the residents of the West End area protesting the proposed plan to make S. Main Street a truck bypass route and requesting a hearing on same.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Givens presented

No. 398 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Turf-Quaker for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 399 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various City vehicles for the City of Pittsburgh, and for the payment thereof.

Which were read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 400 Communication from Richard

M. Cosentino, Director of Water, requesting interim approval of payment of \$6,000.00 for emergency installation of 12 inch valve and appurtenances.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 401 Resolution providing for the taking of property in the 29th Ward of the City of Pittsburgh owned by Nicholas C. Signorelli for the expansion of volunteer field and authorizing payment of an estimate of just compensation of \$24,000.00 and necessary and incidental acquisition and relocation costs related thereto.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 402 Resolution providing for the transfer of funds in the amount of \$20,000.00 from Code Account 1838, Miscellaneous Services to Code Account 1839, Supplies and Materials, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 403 Resolution amending Resolution No. 83, effective February 22, 1980, entitled: "Amending Ordinance No. 540, approved September 25, 1975, entitled: "Providing for a contract or contracts for the purchase of playground and athletic equip-

ment for various recreational areas in the Department of Parks and Recreation and providing for the payment of the cost thereof," by decreasing the authorization," by correcting the authorization.

Also,

No. 404 Resolution providing for an agreement or agreements for professional services in connection with the design of Southside Park and providing for the payment of the cost thereof.

Also,

No. 405 Resolution providing for an agreement or agreements for professional services in connection with the Southside Riverfront Park and providing for the payment of the cost thereof.

Also,

No. 406 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for acquisition services in connection with the construction of the Southside Riverfront Park, and providing for the payment of the cost thereof.

Also,

No. 407 Resolution providing for an agreement or agreements for professional services in connection with the design of the Westwood Swimming Pool and providing for the payment of the cost thereof.

Also,

No. 408 Resolution providing for an agreement or agreements for professional services in connection with the design and construction of Dunbar Ballfield and providing for the payment of the cost thereof.

Also,

No. 409 Resolution providing for an agreement or agreements for professional services in connection with the design and

construction of Brookline Park and Pool and Northgate Park and Pool.

Also,

No. 410 Resolution providing for an agreement or agreements with the Hill Top United Methodist Church for the design and renovation of the Allentown Senior Citizen Center portion of the church and providing for the payment of the cost thereof.

Also,

No. 411 Resolution providing for an agreement or agreements with Architects for Professional Services in connection with the design and construction of Renovations to the Arts and Crafts Center of Pittsburgh, Fifth and Shady Avenues; and providing for the payments of costs thereof; the amount of such services shall not exceed \$3,000.00.

Also,

No. 412 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of a new swimming pool and park at Brookline Park, and providing for the payment of the cost thereof.

Also,

No. 413 Resolution providing for the letting of a contract or contracts or the use of existing contracts for furnishing and placing of electrical lighting equipment for the installation of field lights at Langley High School Field, and providing for the payment of the cost thereof.

Also,

No. 414 Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof.

Also,

No. 415 Resolution providing for a

contract or contracts for bituminous paving, fence and concrete work at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also,

No. 416 Resolution providing for a contract or contracts for the rehabilitation of various ballfields and providing for the payment of the cost thereof.

Also,

No. 417 Resolution authorizing the acceptance of a deed to certain property in the 16th Ward commonly known as Eleanor Parklet as a gift from Arch Lhormer and Phyllis H. Lhormer, his wife, and providing for the payment of title examination, proper closing costs and recording of deed.

Also,

No. 418 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$775.00 for extra work in connection with Arlington Heights Recreation Center Controller's Contract No. 24221-F.

Also,

No. 419 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$450.00 for extra work in connection with Magee Recreation Center, Project No. P-7607.

Also,

No. 420 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$574.43 for extra work in connection with construction of Banksville Swimming Pool, Plumbing Contract.

Also,

No. 421 Communication from Louise

R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$533.30 for extra work in connection with renovation of Cowley-Goettman Recreation Center.

Also,

No. 422 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,984.32 for extra work in connection with construction of Homewood Swimming Pool, Plumbing Contract.

Also,

No. 423 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$405.00 for extra work in connection with construction of Hill Road Underpass at Pittsburgh Zoo.

Also,

No. 424 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,211.03 for extra work in connection with Bituminous Paving Contract.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 425 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James F. Fitzgerald, Jr. for the sale of Parcel 176 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 426 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Associates, LTD., for the sale of Parcels 39, 103, 47D,

64D, 28A, 28B, 52, and 162 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 427 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Norman G. Matlock for the sale of Parcel 131 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 428 An Ordinance supplementing Pittsburgh Code Title Nine, Zoning by adding new Section 905.05 requiring Certificate of Zoning Classification and prohibiting inconsistent use representations.

Also,

No. 429 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12 by changing from "M3" Light Industrial and "R4" Multiple-Family Residence District to "I-M" Institutional-Medical District certain property fronting on: Jane Street; Mary St.; S. 21st St., and S. 20th St., 17th Ward.

Also,

No. 430 Resolution approving a Conditional Use under Section 993.01(a)A-8 of the Pittsburgh Code, Title Nine, Zoning,

Article V, Chapter 993 for construction of a new five-story Hospital Facility and a five-story Parking Garage to South Side Hospital on property zoned "I-M" Institutional-Medical District fronting on Mary St., Jane St., S. 21st St. and S. 20th St., 17th Ward.

Also,

No. 431 Resolution providing for an agreement or agreements to provide staff assistance in connection with the Department of Housing's program's, at a cost not to exceed \$5,195.00, chargeable to and payable from the Department of Housing CDHDA, (HD-79-08).

Also,

No. 432 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Planning Director Lurcott to attend American Planning Association Conference, San Francisco, California, April 12-16, 1980, at cost not to exceed \$1,100.00 payable from Code Account 1103, Department of City Planning.

Also,

No. 433 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Paul Body to attend 1980 Census User Conference, Monroeville, PA, April 3, 1980, at cost not to exceed \$50.00, payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 434 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Philip Schugar and Barbara Howell, to attend meeting in Philadelphia, PA, March 14, 1980 to discuss 1980 Youth

Employment Program, at cost not to exceed \$350.00, payable from CETA Trust Fund.

Also,

No. 435 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Catherine Milton, Elbert Kennedy, Gwendolyn Branson, Marquita Beaford, and Alonzo Webb, to attend Department of Labor Career Advancement Project Conference, Atlanta, GA, April 9-11, 1980, at cost not to exceed \$1,840.00, payable from CETA T-3 Trust Fund.

Which were read and referred to the Committee on Finance.

#### UNFINISHED BUSINESS

Mr. Stone:

In regard to the favorable approval of Mr. Schmeiser as the candidate for Treasurer, it is my understanding he will be taking over as of April 1st of 1980.

The newspaper kind of reported that we had kind of a chummy relationship, but I think in sum and substance, there was clearly a recognition that he obviously had ability, the fact that he has left the private sector to adopt a position in government, even at a loss of income, I think is to be admired. We kind of hope that he will, however, come on board and will be an asset to the City as he seems by intent, to want to do. I see no reason to hold it up any longer.

I move that this matter be presented for discussion at this time.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair presented

Bill No. 390

Resolution approving the appointment of

Ronald C. Schmeiser of 5612 Aylesboro Avenue as City Treasurer.

Which was read.

Mr. Stone:

On the bill, the remarks I just made would apply for a favorable approval of his candidacy.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 436 Report of the Committee on Finance for March 5, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 307

A Resolution entitled, "Resolution provid-



ing for the issuance of a warrant in favor of Civic Center Cleaning Company, in the amount of \$3,029.37 in payment for services furnished for the benefit of the City in connection with cleaning of the Public Safety Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 312

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Edgar Mukuvos in the amount of One Thousand Dollars (\$1,000.00) for services rendered as Research Assistant for Council's Cable Communication Committee, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 335

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$5,433.20 for the emergency purchase of Heating Oil, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

**Ayes 8    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 437 Report of the Committee on Public Works for March 5, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 305

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of the Schenley Park Sewer, and providing for the payment of the cost thereof."

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 438 Report of the Committee on Planning, Housing and Development for March 5, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 317

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Urban Revitalization Pittsburgh, Inc., for the sale of Block and Lot No. 23-F-265 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 318

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 1234, 1236, 1238 Filson Street, Lot and Block 23-K-120, in the Mexican War Streets Historic District, 22nd Ward."

Which was read.

Also,

Bill No. 319

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements with Penn State University to provide a training program on furnace and venting installation for 35 Department of Housing employees and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. Robinson, on Bill No. 319, in the fourth paragraph, this parcel was acquired

by monies from the Great House Sale Program?

**Mr. Robinson:**

Yes, originally this particular piece of property was one of the properties that was part of the North Side Great House Sale. The City exhausted the list of potential buyers and redevelopers and decided that perhaps what they should do is look for some group or organization that the property could be turned over to, have it rehabilitated and then sell it. Since it was still part of the Great House Sale, the procedures for turning it over are what you are referring to here in that fourth paragraph.

**Michelle Madoff:**

Bill, is this the one where they are going to let the people we are training actually work on the house and get some experience

**Mr. Robinson:**

The organization, and I mentioned this at our Wednesday meeting, is a Detroit based organization—

**Michelle Madoff:**

I know the story then.

**Mr. Robinson:**

Okay, it is my understanding that we are going to be using CETA funds and training persons in our CETA Program who eventually could go on and work for others who are rehabilitating houses. One point I didn't make on Wednesday and I want to reiterate it because it is a point I have made before. I would hope that persons who live on the North Side of Pittsburgh who are eligible to participate in the CETA Program would be a part of this program, if for no other reason than to show people who need help in this City that when we are doing something in their neighborhood we try to involve them. Here is a real live experience where people who need

jobs and training, who live on the North Side, can possibly be utilized by this organization to rehabilitate houses right there in their neighborhood.

**Michelle Madoff:**

I think it is a splendid idea, didn't you say you were going to set up a meeting with us, I mean this came up earlier, I think at the Mayor's meeting and you were going to set up a meeting for yourself and myself and anybody else interested to meet with these people from Detroit because this sort of goes with the program that we were going to do with Willie Stargell, you know the Project Home Run and really get something going.

**Mr. Robinson:**

Yes, I had also mentioned on Wednesday, that is was my understanding that this organization probably would be involved in other rehabilitation and that I wanted to make sure that there were some Pittsburgh people involved and hopefully members of Council would be able to sit down with them. At your convenience I will make arrangements through Mr. Brophy to have those individuals come in and meet with us.

**Michelle Madoff:**

And that takes me to Bill No. 319, is that the kind of thing we are talking about, training people to work for the City, or would we be better off training in the private sector to do this?

**Mr. Robinson:**

No, as I understand it, this particular bill relates to persons who would be in our Building Inspection—

**Mr. Stone:**

Are they going to train our people?

**Mr. Robinson:**

They are going to train our people, we are contracted with Penn State University to provide the training.

This is partly in response to many people's complaints that our building inspectors don't have the necessary training and skills, so we are—

**Michelle Madoff:**

I misunderstood the bill, it says to train 35 people in the Department of Housing and I thought that maybe they were going to work on some of these rehabilitation things.

**Mr. Robinson:**

No.

**Michelle Madoff:**

Its not, it is for inspection, for building inspection.

**Mr. Robinson:**

To bring people up to date on current situations and make them better qualified to inspect buildings, whether they need rehabilitated or what.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens** presented

No. 439 Report of the Committee on Supplies for March 5, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 238

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office furniture (desks, chairs, etc.) for the Employment Development Division of the Department of Personnel and Civil Service Commission, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff** presented

No. 440 Report of the Committee on

Parks and Recreation for March 5, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 283

A Resolution entitled, "Resolution providing for an Agreement or Agreements with architects, engineers, landscape architects or surveyors for professional services in connection with the design of the West End Park Shelter and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 349

A Resolution entitled, "Resolution providing for a lease from Western Pennsylvania Water Company of certain property on Becks Run Road, 29th Ward, for a term from April 1, 1980 to September 9, 1980 at a rental of one dollar for recreational purposes."

Which was read.

**Michelle Madoff:**

Mr. President, may I ask Mrs. Masloff a question? Did they find the sewer? The Public Works Department is looking for a sewer which may be through the middle of the property at West Penn Water and if it is they want to sell it to us and the City is very anxious—when we went out there, Mr. O'Malley and myself, to purchase it because we are buying and fixing up another ballpark and they don't want to do both. This hinged on what we were going to do. Since there is really no money involved, I guess it is not something that you have to worry about at the moment, they are not charging us, but we should move quickly because they will be buying the other ballfield and we have that money to

buy this one. I guess we need to find out from Lou Gaetano what happened, or from West Penn Water.

Maybe the best person, Mr. Perry, would be Louise Brown, she would know, she would probably follow through on it.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 440 Report of the Committee on Lands and Buildings for March 5, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 263

A Resolution entitled, "Resolution amending Resolution No. 798 of 1979 by providing for the sale of an enlarged parcel of certain property by the City of Pittsburgh to the Pennsylvania Department of Transportation at the intersection of Saw Mill Run Boulevard and Bausman Street, 18th Ward, designated as part of Block 34-D, Lot 20, for One Dollar (\$1.00)."

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 266

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1038, effective January 6, 1977, as amended, entitled: 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds,' by reallocating funds for the Department of Lands and Buildings."

Which was read.

**Mr. Flaherty:**

I move to recommit Bill No. 266.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 308

Resolution repealing Resolution No. 1022

approved 4/26/76 which authorized the sale of property in the 18th Ward on Sylvania Avenue, Block 15-L-94 to Percy Wallace for the sum of \$200.00 for the reason City cannot give clear title to sale and purchaser requests to withdraw and return of hand money in the amount of \$100.00.

Which was read.

Also,

Bill No. 309

Resolution repealing Item (E) of Resolution No. 920, approved October 12, 1979 approving sale of property being a 3 story brick apartment 558-560 Dunfermline Street, 13th Ward to James Mitchell and Maxine Lipscomb for \$5,200.00. Due to a fire that destroyed the property purchaser wishes to withdraw from sale and return of hand money of \$500.00.

Which was read.

Also,

Bill No. 310

A Resolution entitled, "Resolution providing for the filing of a petition for the sale of certain property acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 311

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

Mr. Givens presented

No. 442 WHEREAS, the Inter-Scholastic City Middle School Championship Basketball game, boys competition, was played on February 20, 1980 at Brashear High School; and

WHEREAS, Arsenal Middle School, 6th Ward, because of their outstanding team play, succeeded in winning this championship game by defeating Margaret Milliones Middle School with a score of 67 to 65 in overtime; and

WHEREAS, this victory culminated Arsenal Middle School's undefeated season of eleven wins and zero losses with a well deserved City Championship.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh hereby congratulate the Arsenal Middle School Boys Basketball Team and their coach, Mitch Kuntz, for their outstanding pre-season and regular season play and their victory in the Inter-Scholastic City Middle School Championship.

Which was read.

**Mr. Givens** moved for adoption.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, I just wanted to indicate that they are having a banquet, I think this coming Thursday and any of the Councilmembers who would like to come to that particular banquet are welcome, I have a letter to that effect in my office. I would encourage all of the Councilmembers to come out to that banquet.

This is about the second year in a row Arsenal Middle School has come up and they are different children. These children are going into various high schools throughout the City when they leave here and they are the future champs of this particular City and I think they need all the deserved recognition and coaching staff at that particular Arsenal Middle High School.

**The Chair:**

Thank you Mr. Givens.

**The Chair** presented

No. 443 WHEREAS, St. Margaret's Hospital representatives have indicated that they are reconsidering the proposal for future use of the St. Margaret's Hospital Proposal; and

WHEREAS, the community representatives recognize the need for more housing in the Lawrenceville area; and

WHEREAS, the community recognizes the need for a committee to be formed to plan for the future use of St. Margaret's Hospital,

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh agrees that a committee comprised of community representa-

tives, representatives from St. Margaret's Hospital, City Planning officials and Members of Council be formed to work out a plan for the future of St. Margaret's Hospital.

Which was read.

**Mr. Stone** moved for approval.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**The Chair:**

If I may, Mr. Robinson, I would like to appoint you as the Councilmember to work on that plan.

**Michelle Madoff:**

Mr. President would you object if he let other Councilmembers know who might want to attend?

**The Chair:**

We will all be made aware of it.

**Michelle Madoff:**

Incidentally, from what I saw on the news, I thought that meeting was very well attended and those people really care about their community and I guess we have a responsibility to not force something on them that they absolutely don't want and I think it was very well handled.

**The Chair:**

They care about their community all right, I can tell you that.

**Michelle Madoff:**

Mr. President, as I was leaving to recuperate from my recuperation, a little incident happened and I was unable to deal with it. I have to find the name, we inadvertently filed that paper away, we can't locate the name, but I hope we will later

today. A woman called, very distressed, who was a CETA employee who was on her way to take a test for a secretary, Clerical II. She and a number of people were in a bus that was stalled because of the Duquesne Light, the lid that exploded, I think we are all aware of that, you know, these manhole lids that have been exploding. And they were trapped in the bus and they couldn't get anywhere because of the manhole explosion. They got here late and went to see Melanie Smith in Personnel and were informed that, that's too bad, you are late, no test. This is sort of an act of God, I would assume, unless Duquesne Light is deliberately doing this, I presume they are not. I think it is really unfair to penalize people for things that are beyond their control. I think as members of Council, I am distressed, and I think we should be, I spoke to Melanie Smith and I asked her whether this was true. Because of this, she and a number of people have signed a letter asking to be given another opportunity to be tested and were denied that test.

I think there are a lot of things going on with the CETA Program and with Personnel and it seemed to me at one point that Mr. Stone was scheduling some kind of public hearing and I wonder whether it would be appropriate to include this particular aspect, and what Council might want to do in between. I don't know who's department it would be, to see that these people are given the chance to take the test again. Somebody give me some guidelines on how to go about dealing with this problem, who's department would it be in?

**Mr. Given:**

Well, Michelle, I think when you set up any time criteria for a test to start and someone gets there late, there has to be certain, you know, law and order, to conduct any type of testing and I would submit to anybody that if they are going to be tested, try to get there a little bit early, not knowing that something was going to happen like that, that is a very unusual act that you just described. Anytime that you are to make a very serious appointment, I think

most people generally plan to be there at least a half of an hour to forty-five minutes ahead of time to assure themselves that they are not going to be locked out of, say, a particular test that might start or anything that is that important to them.

**Michelle Madoff:**

They did that, it was an accident.

**The Chair:**

I agree with Mr. Given with the exception that they could use some discretion, if they have a legitimate excuse, and apparently they do, they could have given the test over or delayed it, of course they may not have known at the time that they weren't going to get there. I know it is rather difficult, according to rules and regulations to give that test over.

I know of an actual case where a fellow on the way to take the test suffered an appendix attack and was rushed to the hospital and had his appendix removed and they wouldn't allow this gentleman to take the test over again, so I know they are pretty strict on that.

**Michelle Madoff:**

Well, this was more than one person, they had left in plenty of time, they were trapped for about an hour or so on the bus.

**The Chair:**

I understand that, but as Mr. Given said their argument is going to be that if they really wanted to take that test they should have got there a little earlier and if the bus had broken down they should have been able to even walk there, so, you know, I'm only saying what their argument is going to be and it is going to be rather difficult for them to be re-tested. It's alright with me and I think with the other members of Council, but it is a matter for Civil Service and they haven't been responding to Council up to now and I don't think they will start today.



**Mr. Givens:**

Michelle is indicating that there were five people involved, or where there is that many maybe there would be an exception to the rule made if proof could be so indicated that they were in fact aboard that particular bus.

**The Chair:**

That is strictly within the purview of Civil Service, Dick, and if they use discretion or if they don't there is nothing we can do about it.

**Michelle Madoff:**

Mr. President, could we put that on for a two minute post agenda to find out how many people were involved and whether we could be a little more flexible, it seems to be a very inflexible, rigid department and I really think that is heartbreaking that people—

**The Chair:**

No problem, Mike, would you get Melanie Smith up here for that purpose.

**Michelle Madoff:**

I have one other item Mr. President. I guess we are all aware that in the near future there will be a decision as to whether U. S. Steel is going to go ahead and build a larger or a smaller building. It appears the decision may be rather quick, it will be coming down very shortly. I personally, as a member of Council am rather distressed. I have been getting most of my information from the newspapers. It appears that for over two years now U. S. Steel has been working with the Mayor's Office, the Planning Department, and the Port Authority. Something you might sort of title "the insiders" on the Grant Street development. I don't object to that, that is what their function is, but I do object to Council being skipped over. I have a very unpleasant memory of the day we were invited to go, and Bill Coyne really took the blunt of it,

Bill Robinson and I were there at the PPG meeting over at St. Mary's Church. When we had been in the Mayor's Office and the big announcement was made of the PPG Building and everything was marvelous, there were no problems, everything was fantastic until 400 people assaulted us.

I would like to know if there are problems in advance, I don't want to find out afterwards. I understand they really haven't kept the County Commissioners as appraised as they should of certain aspects. The kind of thing that I am really concerned about are things such as the traffic congestion that might be put on people coming from the suburban areas, what the parking facilities will be and I talk about people coming in, the traffic jams that might occur from people coming in by the subway from Brookline, Beechview, Knoxville, Mt. Washington, Overbrook, etc. What are we going to do with the parking facilities for those stations that are taken away from that site. What are we going to do when we have a Convention Center and no hotel space if they take the Carlton House down at this point.

I am not an obstructionist and I am not opposed to the development, I welcome it as every member of Council does, for the obvious tax benefit to the community. But why isn't Council kept more informed? Now, I know that if I want to get some information I can call Dave Matter and maybe after five or six calls I will connect with him and I get a little bit of information and I have talked to Director Lurcott and I have gotten a little bit of information about the extension of Ross Street, the Ross Street extension and they assure me that it was not because of the Interlude. I don't know if that is true or not true.

Don't you think it would be appropriate to be appraised of what is going on Mr. President and not kept in the dark and not get our information from information that you may get or I may get from one person, but as a body, so that we don't get attacked as we were, rather vehemently that day down at, I guess you remember that

because you tried to reason with them by saying we would look into it and they didn't want to hear it. And Bill Robinson, I know, you know what I am talking about, you took a lot of the brunt of it.

I am really very distressed that we may be, within a week of a decision and as you know Mr. President, if you checked as I have, they are going to move heaven and earth to get that building going and Council doesn't know anything about it. We don't know what impacts—what elements are involved. How do we vote for condemnation of a street if we don't even know what it is all about?

I understand you raised this issue before in the media, but I am very distressed because if that decision comes down quickly and they decide to take down a rather good, I guess, hotel sites, the Carlton House, where do you house people near a convention center? Don't you think we ought to be getting some answers and they ought to stop having this adversary kind of "we're going to make the big news" coming out of the Administration and start working together—"here's what we are doing", "this is what we are planning", "this is what is happening", so that we don't vote in a vacuum. We are put in an adversary position not only with the Administration, but with the public.

**The Chair:**

Well, I can make a couple of observations, one is that U.S. Steel and the Mayor's Office had planned a press release Friday a week ago and a spy of mine in the Mayor's Office tells me due to my exposing it all they decided to withhold the press conference and hold it later on.

**Michelle Madoff:**

I think it is going to be this Friday, from my spy.

**The Chair:**

The other is that obviously, if Council

goes along on the vacation of streets that you mentioned, then they are going to go right through the Interlude's kitchen and therefore they are going to be able to condemn it and take it for practically nothing and this is their aim and this is their purpose.

One other observation I can make is that the County Commissioners are awfully aware of what is going on. Mr. Foerster has been meeting almost daily with Mr. Broderick, or Mr. Roderick of U. S. Steel, the Chairman of the Board, in fact I had a meeting with him one day a couple of weeks ago and he kept me cooling my heels an hour and a half while he and Mr. Roderick, I believe it is, had their conversations, so Commissioner Foerster is well aware of what is going on and he has been wheeling and dealing, I guess with Mr. Roderick in accord with the Mayor of the City of Pittsburgh. So there are no secrets being kept from the County and certainly not from the Mayor's Office. And as you said, or someone said, they are going to have a press conference this Friday and it is a couple weeks after they intended to have it.

**Michelle Madoff:**

Well, you know, so much time has been lost with these companies not having the ability to go ahead and build because of problems that come up. If we dealt with them up front and didn't wait until they explode on the scene when they want Council to vote in such a way, perhaps things would be a lot better.

**The Chair:**

This whole thing Michelle is some scheme to defeat Oxford Development and that is really Oxford's affair and not mine or yours but this what I am led to believe, that U. S. Steel is trying to beat them to the punch and if they do and they get certain leases from people like Dravo and them, then Oxford is going to be in a very embarrassing position they not be able to proceed with their plans. The Carlton House remains for two more years and now they

are talking about speeding it up to September of 1980 to demolish it, therefore, you are going to see a lot of people lose their jobs and a lot of people put out of their apartments and at this time we just can't afford it and I think Council has to be aware of that.

**Michelle Madoff:**

Well, there are also a lot of businesses as you say, doctors and businesses in the Carlton House. I know that the furriers bought themselves another building, but they are not happy to go and I guess some have made provisions and some haven't. The point that I am making, I will close on this note, is because the Administration does not work with Council to tell us what is happening, keep us appraised, when they were working on that business of extending Ross Street for whatever reason. You know the rationale now is "we were going to do it anyway for the Port Authority for the subway system".

I can see, and I really believe that nothing will happen for a good year, because now it will come to a boil, everybody will want to ask questions, nobody is going to vote I presume, in this Council, in a vacuum, until they know what is happening and what problems could occur, and I think it was very foolish. I have asked Mr. Lurcott to have a session to inform Council. He said he would. I spoke to Dave Matter and he said it has nothing to do with us, it is to do with Dravo and U.S. Steel and whoever they are going to work with. What has that got to do with the Port Authority, with the subway station, what has that got to do with what streets we are going to have. I am just really tired of—

**The Chair:**

If I may, I talked to Jim Maloney, the Director of the Port Authority and he said definitely, they could proceed without the site of the Carlton House or that location. It would be a little easier for them if they had it and had it very shortly, but they could go along with their plans without that piece of property.

**Michelle Madoff:**

Mr. President, during the whole negotiations with PPG, I don't think there was a member of Council who was opposed to PPG coming here and having that development. However, who got blamed for all the delays? Council, we always get blamed when the Administration keeps us in the dark. They put us in the position and then we are the bad guys.

**Mr. Givens:**

Then I submit Mr. President, that Mr. Perry write a letter to the President of U.S. Steel, to Director Maloney of Port Authority requesting that they brief this Council in the very near future as to what is going to happen on that particular site. I also submit that we have the Executive Chairman, Steve George from URA come in here in the very near future, and when I say very near future I mean within about a 30 day period on both of these and give us an update on the PPG Building and what is happening in that particular perspective.

**Mrs. Masloff:**

Mr. President, I want to add that as a member of the Parking Authority, the Parking Authority sold that garage to the Port Authority, the Seventh Avenue Garage, the Bigelow, and that they sold it with the understanding that those tenants who are in that building would be out by May of this year.

**Michelle Madoff:**

Where are they going to go?

**Mrs. Masloff:**

Well, we are talking about the garage only and that only involves two or three businesses and they have been notified that they had a year to go and there are only two or three in that particular garage.

**Michelle Madoff:**

There are only two or three people who park in that garage?

**Mrs. Masloff:**

No. I don't mean parking, I mean the businesses. But the people who park there, that is another thing. But they have been notified that their leases will be terminated in July of this year.

**Michelle Madoff:**

I had an attorney friend, a mutual friend of ours called to say that he was no longer a judge, so figure out who it is, and he needed a parking space, and did we know of any and I said, "I don't know, I'll call around and see if there are any spaces that you can rent at the normal going rate". I called everybody and there are no parking spaces. What are you going to do with these people? That is the kind of thing

I want answered. That is not unreasonable. I'd take a bus if they'd give me one.

**Mrs. Masloff** moved to excuse Mr. O'Malley for absence from this meeting.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, February 25, 1980.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, March 17, 1980

No. 11

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . Ass't. City Clerk

Pittsburgh, Pa.  
Monday, March 17, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

#### ABSENT:

Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 444 Resolution further amending Exhibit 1 of Res. No. 1350, effective Jan.

1, 1978, as amended by Res. No. 597, effective June 7, 1978, as amended by Res. No. 977, effective Nov. 3, 1978, as amended by Res. No. 1532, effective Dec. 31, 1978, as amended by Res. No. 914, effective Oct. 16, 1979, entitled "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by increasing the amount of funds allocated for PW 78-21, 4-01-25-0746-78, Thompson Run Sewer".

Also,

No. 445 Resolution amending Res. No. 619, approved June 6, 1979, effective June 10, 1979, entitled "A Resolution providing for a Contract or Contracts for the construction of Thompson Run Storm Sewer (Cooley Way) 4-01-25-0746-78 (PW 78-21), Phase I," by increasing the project allocation by \$43,223.67.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 446 Resolution providing for an

agreement or agreements with Acres American Company for inspection and design services in connection with Schenley Park Bridge over B. & O. Railroad; and providing for the payment of cost thereof.

Also,

No. 447 Resolution providing for an agreement or agreements with Acres American Company for inspection and design services in connection with Schenley Park Bridge over Panther Hollow (PW 80-18); and providing for the payment of the cost thereof.

Also,

No. 448 Resolution providing for an agreement or agreements with Green International Inc. for inspection and design services, in connection with Fort Pitt Boulevard Bridge and providing for the payment of costs thereof.

Also,

No. 449 Petition from the Members of the Chadwick Civic League and residents of East Liberty requesting a hearing for a complete cleanup of the entire East Liberty Area.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 450 Resolution providing for a contract or contracts in connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the costs thereof.

Also,

No. 451 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 452 Communication from Harold West, Director, Department of Lands and Buildings, requesting permission for Elaine Sadowski, to attend Grantsmanship Training Program Seminar, Pittsburgh, PA March 24-26, 1980, at cost not to exceed \$345.00, payable from Code Account 1361, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 453 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc. in the amount of \$1,446.00 for emergency repair work to City vehicles without previous authority of law.

Also,

No. 454 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc. in the amount of \$1,446.00 for emergency work to City vehicles without previous authority of law.

Also,

No. 455 Resolution providing for the issuance of a warrant in favor of Baum Boulevard Dodge, in the amount of \$1,540.06 for emergency repair work to City vehicles without previous authority of law.

Also,

No. 456 Resolution providing for the issuance of a warrant in favor of Mack Trucks, Inc. in the amount of \$5,490.73 for emergency work to City vehicles without previous authority of law.

Also,

No. 457 Resolution providing for the issuance of a warrant in favor of American LaFrance Company in the amount of \$16,082.91 for emergency repair work to

City vehicles without previous authority of law.

Also,

No. 458 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$6,949.37 for emergency repair work to City vehicles without previous authority of law.

Also,

No. 459 Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$16,811.53 for emergency repair work to City vehicles without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Also,

No. 460 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$2,965.00 to Doerr Bros. Inc. for emergency specialized repairs to City vehicles, to be payable from Code Account 1150 Outside Repairs, Bureau of Automotive Equipment.

Also,

No. 461 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of payment of \$16,175.28 to County of Allegheny for shipping charges for emergency purchase of cinders to be payable from Code Account 1612-4 Salt and Cinders, Department of Public Works.

Which were read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were in-

troduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 462 An Ordinance supplementing the Pittsburgh Code, Title Ten, BUILDING, by providing for EARLY WARNING DETECTORS.

Which was read and referred to the Committee on Public Safety.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, I have been informed that this bill will have to go to the Code Review of Fire, however, I have a problem. My problem is, and I would like to share with Council, that, you know, the last fire, where the two young women were burned in Shadyside—I had a call from the woman who owns the building and she told me that she had bought fire detectors, but she just hadn't gotten around—you know, she had procrastinated in putting them up, and that she hoped I would introduce a resolution so that people would do it immediately and under the pressure, if it is legal, it is the law, everybody will do it.

I had already requested from Fire Chief Kennelly, to find out if indeed, there was already an ordinance in the Fire Code that was pending and I guess there wasn't because he sent it back and he wrote an excellent ordinance.

I would like your guidance, could we not go ahead and work on this particular ordinance immediately and then have it included in the Fire Code? Or amended in the Fire Code at a later date? I mean we have people dying because they don't have fire detectors up. I really don't want to postpone it. Does anybody have any feelings on that?

**Mr. Givens:**

Everything has to go into the Code, I know that.

**Michelle Madoff:**

Well, of course it will go into the Code, but can we take—instead of waiting for the whole Code to be updated, could we take this as a separate part? I see no reason why we can't.

**Mr. Perry:**

The Code is updated Michelle, but what the Bureau of Code Review has to do is they have to review this ordinance so they can give it final approval.

**Michelle Madoff:**

Well, could we move on it and have them amend it or approve it? So that we would at least have the concept?

**Mr. Givens:**

The procedural matter is that it has to go before that Bureau, if I am not mistaken, Mr. President, for their review and then back to Council for approval or disapproval.

**The Chair:**

That is a good idea, but at the same time, maybe we could pass a law or pass an ordinance and if they don't obey it, what really can you do? There can be a fine, there can be imprisonment—

**Michelle Madoff:**

But, you know, they might not do it for a year or six months, or three months, while they are waiting to complete—I don't see why we couldn't have—look at the one we did on smoking. I don't think that is true, we just passed one on smoking in the elevators. We amended an existing ordinance. Why can't we either amend this, have the Law Department look at it, amending another ordinance, or introduce it as a separate ordinance and then incorporate it in the Fire Code?

**The Chair:**

I don't think Council has any problem with it.

**Mr. Givens:**

Bring it in this Wednesday, right, and then we can send it to the appropriate agency and with the desire of Council, if we feel appropriate of giving our personal opinion, because I don't think we can vote on it legislatively, but we can give our personal opinion to the Bureau to look into it.

**Michelle Madoff:**

I don't want that, that is not what I said. I would like a legal opinion as to whether we can handle it as a separate ordinance and later be incorporated into the Fire Code by the Fire Review Commission. By Wednesday, because it will be on the agenda Wednesday.

**The Chair:**

Okay, the Parliamentarian will look into that.

**Michelle Madoff:**

Thank you very kindly.

Also,

No. 463 Resolution providing for the issuance of a warrant in favor of Clairton



Slag, Inc. P.O. Box 10884, Pittsburgh, PA, 15236, in the amount of \$2,797.50 in payment for the purchase of slag and sand furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also

No. 464 Resolution providing for a contract or contracts for the relay of the water main in conjunction with the Improvements to the Chestnut Street Intersection; and providing for the payment of the cost thereof.

Also,

No. 465 Communication from Richard Cosentino, Director, Department of Water, requesting permission for Director Cosentino to attend 1980 Technical Conference of the Water Pollution Control Association, Monroeville, PA, April 13-16, 1980, at cost not to exceed \$65.00, payable from Code Account 1701, Department of Water.

Also,

No. 466 Communication from Richard Cosentino, Director, Department of Water, requesting permission for Director Cosentino to attend American Water Works Association, Pennsylvania Section, 32nd Annual Meeting, Buck Hill Falls, PA, May 4-7, 1980, at cost not to exceed \$380.00, payable from Code Account 1701, Department of Water.

Also,

No. 467 Communication from Richard Cosentino, Director, Department of Water, requesting permission for Messrs. McKaveney, Casciato, and Allman, to attend American Waterworks Assoc. One Day Safety Seminar, Pgh., PA, April 10, 1980, at cost not to exceed \$200.00, payable from Code Account 1701, Department of Water.

Also,

No. 468 Communication from Richard Cosentino, Director, Department of Water, requesting permission for Melvin Koedel, to attend Cross-Connection Control Program, Cincinnati, OH, April 10-11, 1980, at cost not to exceed \$300.00, payable from Code Account 1701, Department of Water.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 469 Resolution providing for a contract or contracts for the operation of an Outdoor Rollerskating Program in Schenley and South Side Ice Rinks, and providing for the deposit of revenue derived from the operations in the Special Parks Programs Trust Fund (SPPTF).

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 470 Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with People Watching Out for People Continuation Project (PWOP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the People Watching Out for People Continuation Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account; providing for an agreement or agreements with the East Liberty Chamber of Commerce to implement said Projects and providing for the payment of the cost thereof.

Also,

No. 471 Resolution providing for an

agreement or agreements with The Public Auditorium Authority of Pittsburgh and Allegheny County to provide police for events held at the Civic Arena; and providing for reimbursement to the City of the costs thereof.

Also,

No. 472 Resolution providing for an agreement or agreements with The Public Auditorium Authority of Pittsburgh and Allegheny County to provide fire prevention staff for events held at the Civic Arena; and provide for reimbursement to the City of the costs thereof.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Stone for Mr. Robinson** presented

No. 473 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an agreement or agreements with Penn State University to provide a 10 week training program on Code Enforcement Certification, "Building Construction and Technology" for 21 Department of Housing employees and providing for the payment of the cost thereof.

Also,

No. 474 Resolution amending Section 11 of Res. No. 1549 of 1978, which Resolution was previously amended by Res. Nos. 251, 517, and 649 of 1979 entitled "Providing for the filing of Application by the City of Pittsburgh with the United States Dept. of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program", so as to correct several Capital Budget Project Numbers; and further, to decrease line item HD-79-17 "Development and Continuation of Pilot Programs" from \$250,000 to \$125,000; and further, to create a new line item HD-79-20 "Contingency Fund for Contractor Completion".

Also,

No. 475 Resolution further amending

Res. No. 472 of 1979, as amended by Resolution No. 973 of 1979, by making certain budget line item changes.

Also,

No. 476 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Director deLuca to attend meeting of PA, Council on Urban Economic Development, Harrisburg, PA, March 25, 1980, at cost not to exceed \$125.00, payable from Code Account 1900-1, Department of City Development.

Also,

No. 477 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Lou Daniel to attend Marketing for Voluntary and Non-Profit Organizations Workshop, Harley's Hotel, Parkway East, April 23, 1980, at cost not to exceed \$75.00 payable from Code Account 1371, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 478 Resolution transferring \$50,000.00 from Code Account 44, Workman's Compensation Fund, to, Code Account 42, Contingent Fund.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 479 Resolution providing for the issuance of a warrant to Lillian B. Radolec, and Joseph Radolec, her husband, in the amount of \$50,000.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also,

No. 480 Resolution providing for the issuance of a warrant to Michael Thomas and Elizabeth Thomas, his wife, care of Charles L. Kalson, Esquire, 808 Law & Finance Bldg., Pgh., PA 15219 in the amount of \$1,530.00 in full settlement of a claim for personal property damage, and providing for the payment thereof.

Also,

No. 481 Resolution providing for the issuance of a warrant to Andrew W. Glatz and Marguerita R. Glatz, his wife, care of Charles L. Kalson, Esquire, 808 Law & Finance Bldg., Pgh., PA 15219 in the amount of \$2,090.00 in full settlement of a claim for personal property damage, and providing for the payment thereof.

Also,

No. 482 Resolution providing for the issuance of a warrant to Dorothy Shamrock, care of Charles L. Kalson, Esquire, 808 Law & Finance Bldg., Pgh., PA, 15219 in the amount of \$850.00 in full settlement of claim for personal property damage, and providing for the payment thereof.

Also,

No. 483 Resolution providing for an agreement with Offender Aid and Restoration Program of Allegheny County for the implementation of the Comprehensive Employment and Training Act, Title III, Subpart 3 of the Youth Employment and Demonstration Projects Act (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof.

Also,

No. 484 Resolution providing for an agreement or agreements with Young Women's Christian Association of Greater Pittsburgh for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof.

Also,

No. 485 Resolution providing for an agreement or agreements with various agencies including but not limited to School District of Pittsburgh, Pittsburgh Catholic Educational Programs, Inc. and Ozanam Cultural Center, effective March 1, 1980, for the implementation of a City Summer Youth Employment Program and providing for the payment of the costs thereof.

Also,

No. 486 Resolution amending Res. 17 of 1980 which established a "Workers Compensation Reserve Trust" fund with a City Depository.

Also,

No. 487 Communication from John McAllister, Manager, City Information Systems, requesting permission for Manager McAllister to attend Western PA, Municipal Finance Officers Assoc. Training Seminar, Pgh., PA, April 9, 1980, at cost not to exceed \$35.00, payable from Code Account 1043, City Information Systems.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 488 Report of the Committee on Finance for March 12, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 331

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Donald J. Lee, Attorney at Law, in the amount of \$1,875.00, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law."

Which was read.

**Mr. Stone:**

I move to amend Bill No. 331 by deleting the amount of \$1,875.00 and inserting in lieu thereof \$1,520.00.

**Michelle Madoff:**

Mr. President, I believe the reason Mr. Stone is doing that is because when I questioned the figure, and I wasn't really looking at the dollar amount, as much as the hourly rate, but I was wondering why the amount was so enormous. From my perspective, it seems they multiplied by a factor of \$50.00 an hour instead of \$40.00. However, the real issue, as far as I am concerned, is that the question, I believe that was asked of the attorney was to look into property tax exemption possibilities, or deferred payments of taxes for senior citizens. There are so many top notch professional retired attorneys in the ARPS, The A. R. P. Senior Citizens, and the consumer groups, that I am sure that that question could have been answered for a lot less than the kind of dollars we are paying. I really don't think that it is proper, unless we are in a bind where we can't get good legal opinions to use sources where we have to pay for them. Perhaps in the scale of things on a \$180 Million Budget that isn't so gigantic, and especially since I am going to request that Council pay for, or the City pay for our attorneys in the suits against—that we are being sued by the Cable Company, but ten years I didn't pay one attorney and got top advice and won every lawsuit and I

just don't see the necessity of that kind of dollars

**Mr. Stone:**

Mr. President if I may, I will speak on this thing after, as far as future course here, but I don't want to hold up the bills.

**Michelle Madoff:**

Are we going to change the procedure?

**Mr. Stone:**

Let me at this juncture cover this matter. I think in the future, whenever we are seeking legal advice, there should be an issue framed to the attorney as to what he is to do, and what legal opinion he is being asked to give. Secondly, he should place, in writing, the range of that fee, so that we know, in advance, what it will be, and obviously, when it is finally done we get an itemization at the rate that is involved. We can't sit in judgment on the administration's level if we are not going to sit in judgment of our own. And Mike, let that be a practice to everybody now.

**Michelle Madoff:**

May I comment Mr. President? I completely agree with Councilman Stone, but I don't think it goes far enough. I believe that there are many people sitting at this table, I think probably all of us, who have contacts with top, highly respected attorneys in special fields, such as the issue with PPG, when Leonard Mendleson, who is one of the top attorneys in eminent domain, never charged us. Gave us a legal opinion. I think, perhaps it might be advisable, next time somebody wants a legal opinion to ask other members of Council, if they themselves don't know anybody they can go to, who might do it for us as a gesture for the City and the welfare of the people and we could use the money in other directions.

**The Chair:**

Who solicited Attorney Lee's opinion?

**Mr. Coyne:**

Mr. President, one fault I find with Mrs. Madoff's suggestion is that if once we were able to get an opinion from someone and it is a free opinion, free legal advice from some attorney, how then, can we go back on them to defend their position if they can say to us, "well, I gave it to you for nothing, and now you are coming back and questioning my legal opinion, why should I be encouraged to defend it?"

I don't know how you can ask someone to give some free advice for the City of Pittsburgh, particularly attorneys, and then go back to them later on and say, "this is your professional opinion, this was something that was paid for out of City funds and now we are coming back to you and asking you to defend it", if in fact, the City of Pittsburgh paid for it.

**Michelle Madoff:**

In response, Mr. Coyne, the people who would give me professional opinions would be willing to defend their opinion.

**Mr. Coyne:**

Well, then I think it gets to a matter of who knows attorneys and who knows professional attorneys—

**Michelle Madoff:**

Mr. Stone: knows everybody.

**Mr. Coyne:**

...I know there has been a set-up here on Council for the last several years, ever since the Home Rule Charter was created, that gave City Council the right to legal advice. It seemed to the people who developed the Charter of the City of Pittsburgh that prior to the enactment of the Charter, Council was at some disadvantage with regard to legal advice inasmuch as the City Solicitor is appointed by the Mayor's Office.

Now, you know, the ability for Council

to go out and seek its own legal advice was granted by the City Charter in 1976. Now if we want to change that and if we want to go to some other system of gaining legal advice, such as seeking free legal advice, I think we ought to put that in the Charter and make that the practice.

**The Chair:**

Bill, is Attorney Lee one of our listed attorneys?

**Mr. Coyne:**

Several years ago, in 1976 when we developed, when the Home Rule Charter granted Council the power to do this, we named about five attorneys. One of them was Cyril Fox, Attorney Don Lee, Attorney Byrd Brown, there were five of them who were on the list.

**The Chair:**

Lee is not on that list?

**Mr. Coyne:**

Lee is on the list.

**The Chair:**

I am curious, if we go outside the list, usually the Councilperson who seeks that advice from that attorney talks to me about it or some other member of Council, I mean, who did solicit Lee's opinion?

**Mr. Coyne:**

I did.

**The Chair:**

Okay, that is all I wanted to know.

**Mr. Coyne:**

But he is one of the five attorneys that Council set aside as ones who we would go to for legal advice.

**The Chair:**

There is no problem with it at all, I was just curious as to whether he was on the list or not.

**Michelle Madoff:**

With all due respect, this is not a criticism, did you check with Mr. DePasquale to see if you could solicit that attorney?

**The Chair:**

He doesn't have to.

**Mr. Coyne:**

No, there was never any set-up that any member of Council had to check with another member of Council when they wanted professional service.

**Michelle Madoff:**

I was told we had to go to the President of Council.

**Mr. Coyne:**

During the budget time, when we appropriate whatever the funds are available for legal advice, it is passed by all members of Council and the members of Council know that that is there for professional services, not only for legal advice, but any other professional service that Council deems necessary.

**Michelle Madoff:**

Well it is not my intention to usurp Council's right to get legal opinion and pay for it where necessary, and maybe members of Council feel that is the way they want to go. I am merely suggesting that in this particular bill, which I believe is not the end of the line, we will be going out and asking other groups how we can get around this obstruction of not being able to give senior citizens a break and maybe some of the attorneys, retired people and senior citi-

zens, A.R.P.'s or some other source, will be able to help us and we still might want some legal opinion that we paid for, but I think we ought to try to use, wherever possible, the kind of help we can get where we are not charged.

**Mr. Stone:**

Mr. President, if I may, one last comment. Mr. Coyne's comments about the list and the ability to do that is correct. And I think we have to appreciate that government, like a business, has to have the tools and the ability to carry out its function. It would be wrong to eliminate that portion in the best interests of the City.

Secondly, however, I think in the future, that any requests for legal counsel, in view of the remarks I made earlier as to how it should be done, that should be given to the City Clerk and approved by the President and if he has any questions, then it should come before the body. In the future, I think it ought to be done that way.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

**Ayes 7    Noes 1**

**(MICHELLE MADOFF VOTING NO)**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 342

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of Data Terminal Leasing Company in the aggregate amount of \$12,000.00 for the emergency rental of a data processing terminal for the City Treasurer's Office and the City Controller's Office, and for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 348

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Rockwell International, Municipal & Utility Division, P.O. Box 360891M, Pittsburgh, PA 15251, in the amount of \$2,274.00 in payment for the purchase of repair clamps furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 350

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of Thirty-Five Thousand Dollars (\$35,000.00) from Code Account 45, Health Insurance to STF #2, 'Young Adult Conservation Corps Project.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 358

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of the Police Officers listed below, in the amount of \$16,105.04 in payment for travel and meals incurred while in training; and providing for the payment thereof."

Which was read.

Also,

Bill No. 359

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Michael's Marine Sales and Service, 2101-07 West Liberty Avenue, Pittsburgh, Pennsylvania 15226, in the amount of \$491.75, in payment for repairs to the River Patrol Boat, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 368

A Resolution entitled, "Resolution providing for the issuance of a \$859.56 warrant to Veronica G. Garner in full settlement of claim for automobile damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 369

A Resolution entitled, "Resolution providing for the issuance of a \$890.25 warrant to William Hodak in full settlement of claim for automobile damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 370

A Resolution entitled, "Resolution providing for the issuance of a \$854.00 warrant to Thomas J. and Donald King in full settlement of claim for property damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 371

A Resolution entitled, "Resolution providing for the issuance of a warrant to Allen F. Anderson, Sr. and Margaret Anderson in

the amount of \$3,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 372

A Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 373

A Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring State assistance and funding, and to work with various agencies



of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 374

A Resolution entitled, "Resolution providing for an Agreement or Agreements with physician or physicians to provide physical examinations for CETA applicants and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Stone for Mr. Robinson presented

No. 489 Report of the Committee on Planning, Housing and Development for March 12, 1980 transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation,

Bill No. 53

An Ordinance entitled, "An Ordinance

amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing from "R4" Multiple-Family Residence District and 'IC' Institutional-Civic District to 'CP' Planned Commercial Unit Development District all that certain property bounded by: Terrace Street, the northeasterly boundary line of Block 28-A, Lot 191 in the Allegheny County Block and Lot System and said line projected in a northwesterly direction; a line located 295 feet northwest of and parallel to Terrace Street and Darragh Street, 4th Ward."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Noes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 1    Noes 7

(MR. GIVENS VOTING AYE)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 51

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing: a) from 'R2' Two-Family Residence District and 'M3' Light Industrial District to 'M2' Limited Industrial District

all that certain property bounded by: McCartney Street; the westerly property boundary of Block 19-S, Lot 184 in the Allegheny County Block and Lot System; Kearns Avenue; the northerly property boundary of Block 19-R, Lot No. 69 in the aforementioned system; the 'S' Special District boundary line located between McCartney Street and Kearns Avenue and Block 19-R, Lot No. 42 in the Allegheny County Block and Lot System, 20th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 121

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 265, by providing for temporary exemption from taxation for certain improvements to deteriorated dwellings and on residential construction pursuant to Act 42 of 1977; and repealing Ordinance No. 596 approved December 29, 1972, entitled, 'An Ordinance providing for tax exemption for certain improvements to deteriorated dwellings pursuant to Pennsylvania Act No. 34 of 1971.'"

Which was read.

**Mr. Coyne:**

Mr. President, I move to recommit Bill No. 121 to committee.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I might suggest that during the time it is recommitted, we get copies of the newspaper article or deal directly with Mr. Brophy saying that he is going to veto the bill if Mr. Robinson makes changes. Perhaps we might want to meet with him as soon as possible.

**Mr. Coyne:**

Mr. President, that is why I would like to have the bill recommitted, Mr. Brophy has some concerns about that and he is out of town now and Mr. Robinson is out of town, that we ought to have those discussions when both parties are here.

**Michelle Madoff:**

I support you — thank you Bill.

Also,

Bill No. 243

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(39) and (46) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to A.P.D. Associates for permission to occupy 3,000 sq. ft. of floor area as a Financial Institution and 1,000 sq. ft. of floor area as a Pharmacy on the first floor of the Allegheny Professional Building on property zoned 'I-M' Institutional-Medical District located on the northwest corner of East North Avenue and James Street, 22nd Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, this, I believe is a pharmacy and the bank, does it cover both of them, I believe, Mr. Stone? Pharmacy and bank?

**Mr. Stone:**

That is the bill as it is presently written.

**Michelle Madoff:**

Speaking for myself and I presume for some other members who are here today, there seems to be a sentiment amongst some of us that we would endorse the pharmacy, but veto the bank. Now does that make it possible to submit it as two separate bills, or do we have to postpone it a week, or can we vote halfway or what?

**The Chair:**

No.

**Mr. Stone:**

It would appear that you have to ask for an amendment, and if your amendment—

**Michelle Madoff:**

Could we amend it to just vote only on the pharmacy today?

**Mr. Stone:**

No, you would have to amend the bill as it is.

**The Chair:**

You would have to recommit the bill if you want to do that. Do you want to make a motion to recommit?

**Michelle Madoff:**

I move to recommit Bill No. 243.

**Mr. Flaherty** seconded the motion.

**Mr. Stone:**

Mr. President, if I may, let me speak to this issue, if the maker of the motion desires to eliminate a portion of it, I would suggest that the motion be that a section of it be deleted and then we act on the bill.

**Michelle Madoff:**

Which section would you delete Mr. Stone?

**Mr. Stone:**

It depends on the section you want to delete.

**Michelle Madoff:**

Well, the section I want to delete would be the section that allows them to put a bank into the structure and I haven't really gone over it to delete, I just got my literature today on it and I—

**Mr. Stone:**

Well, then you are talking about 993.01 (a)A(46), Financial Institution in I-M District.

If I may just speak to this issue. I don't think that anyone has been more with the community and anti the Allegheny General Hospital, relative to their development there, as have I in these past four to five years.

I made an effort here to try to get these people some relief pending the final comprehensive plan which is due in December. When we had that hearing on this matter, we took a list of things that needed to be done, I labled it very well then, that what we were attempting to do under all of the circumstances here, was to arrive at some compromise of all of the situation so that we may be able, hopefully, to get some change in the past conduct of the hospital.

We may be able in the future to get some relief, other than a total antagonistic kind of relationship that was there. This is for me, in fairness, a compromise, but I think that when you go into a compromise, you have to take it in the light in which a compromising spirit is. Anytime that you take portions out of it, I think you then eliminate the compromise effect. Under these present circumstances, it is my understanding, and I don't agree with it, but it is there, that relative to that particular structure, extensive efforts have been made, may be a mistake, that is true, but on the other hand its there.

On the other hand we have the hospital who may or may not be part of this, but we have been able, with the way we have negotiated this thing, to try to get the hospital to take some present action.

Relative to the community, the community has indicated very strongly and they are backed up by the history, that they have concerns. We do have a doomsday kind of effort here on behalf of Allegheny General Hospital because they must submit their final plan for our approval by December. What has been affected here is, in light of the spirit, and it may be the lesser of two evils, presently, rather than just have to wait for eight months for any action, we try to generate, first of all, the hospital into action now. Secondly, hopefully, that we can get a change of heart on behalf of the hospital and we have a track record these next eight months to see whether, in fact, they change.

In that light, we talked about various matters of clearing the fire lane with the police, and I have a call into the police this morning to take care of that matter. The matter of watching what happens with any tags that are issued down with the magistrate, and we will pick that matter up relative to any resident stickers, I spoke to the hospital this morning, Mr. Sikuda, and they have agreed to accept the responsibility to provide these stickers for the resident cars as well as their own employees, that they are labeled and hopefully we can do some-

thing about not having the resident tagged when they have lost their spot.

In addition to that, there are, I understand, some non-medical office use there and we asked Mr. Jim Brown to do something and I have a letter here that he has already sent out asking that it be removed from that location—it is a non-medical use.

In line with that, and I go back to my original statement. I am not surrendering in one bit, my feelings toward this hospital, but I think that since, generally around every institution, there tends to be problems and there will be no way to solve them if we don't somehow try to give them an opportunity to do something and if they don't then they will do it before they get anything more from us come December. We are putting them on a final test before the big day, so to speak. I have shared this with the community leaders, it would be my recommendation that nothing be deleted at this time, and, that we approve it, I just wanted to make those comments.

**Michelle Madoff:**

Mr. President, there was overwhelming voluminous testimony where the community has compromised, they compromised to go with the pharmacy and not with the bank.

**The Chair:**

Michelle, in all fairness, you have had your say, you have made a motion to recommit the bill and we have a second, let's vote on it.

**Michelle Madoff:**

I would like to change my motion, to take out the section that says—

**The Chair:**

You cannot do it unless the bill is re-committed.

**Mr. Stone:**

No.

**Michelle Madoff:**

No. we can amend a bill, I would like to amend it to take out "permission to occupy the 3,000 square feet of floor space as an area financial institution" and leave the pharmacy.

**Mr. Givens:**

There is a motion on the floor Mr. President.

**Michelle Madoff:**

I am changing my motion.

**Mr. Givens:**

Well, get a vote on that motion then.

**Michelle Madoff:**

I can't get a vote on it if I am changing, I am recalling and changing my motion.

**Mr. Givens:**

You have to get a vote to second it.

**The Chair:**

Are you recalling your recommittal?

**Michelle Madoff:**

I am recalling my motion and changing my motion and what I am saying—

**The Chair:**

Do you want to recall the second on the original motion?

**Mr. Flaherty:**

I recall the second.

**Michelle Madoff:**

What I am saying is that I would like to amend the existing bill to leave the pharmacy in tact and all we would have to do

is take out Title Zoning Article, where it says, "to A.B.P. Associates for permission to occupy 3,000 square feet of floor area as financial institution" and we leave in "and 1,000 square feet" for the pharmacy, and we take that same line out in the next paragraph, and what we've done is we have compromised, we have left in the pharmacy, which the people didn't want in the first place, but are compromising and allowing in, and we are taking out the bank, which allows the builders and the hospital to rent that same space at the same square footage, at the same dollars, to another facility and not have cars parking and running into that banking facility. And I don't think we can do any less.

**The Chair:**

If that isn't taking the bank out, what is it doing?

**Michelle Madoff:**

It is taking the bank out only.

**Mr. Stone:**

Point of order, if I may, Michelle I still feel that you can do it that way, but the City Clerk is expressing some concerns if that is a major change and therefore his answer is that if that is your disposition, then maybe your original motion is more in line with mine, but I still feel that you can. But I would like to bend to that so—

**Michelle Madoff:**

I'd hate to vote no against the pharmacy just because I am voting no against the bank, and I am being put in that position and maybe some other members are being put in that position.

**Mr. Stone:**

Why don't you renew your original motion to recommit?

**Michelle Madoff:**

I renew my original motion to recommit.

**Mr. Flaherty** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Michelle Madoff</b>	

**Noes:**

<b>Mr. Coyne</b>	<b>Mr. Stone</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 3    Noes 5**

And a majority of the votes of Council not being in the affirmative, the motion was defeated.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 6    Noes 2**

(MICHELLE MADOFF AND MR. O'MALLEY VOTING NO)

And a majority of the votes of Coun-

cil being in the affirmative, the bill passed finally.

Also,

**Bill No. 425**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James F. Fitzgerald, Jr. for the sale of Parcel 176 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 426**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Associates, Ltd. for the sale of Parcels 39, 103, 47D, 64D, 28A, 28B, 52, and 162 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 427**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Norman G. Matlock for the sale of Parcel 131 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

**Bill No. 362**

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with Coopers & Lybrand for professional auditing services specifically designed to verify the financial data input to the City of Pittsburgh Capital Project System, increasing the amount provided in the Original Agreement (#24020-F, dated August 21,

1979) from an amount not to exceed \$14,400, to an amount not to exceed \$23,500."

Which was read.

Also,

**Bill No. 364**

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the City of Pittsburgh and the Sanborn Map Company, Inc., so as to increase the amount of the Original Agreement #23560-F, dated November 6, 1978, from an amount not to exceed \$35,000.00 to an amount not to exceed \$39,350.00."

Which was read.

Also,

**Bill No. 365**

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the Young Men's Christian Association, a non-profit organization located at 600 West North Avenue, so as to increase the amount of the original Agreement (Contract #23930F), dated July 2, 1979, from an amount not to exceed \$75,000.00 to an amount not to exceed \$95,882.00."

Which was read.

Also,

**Bill No. 366**

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the Polish Hill Civic Association, so as to increase the amount of the original Agreement, dated March 6, 1979, Contract #23703-F, from an amount not to exceed \$40,000.00 to an amount not to exceed \$59,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 490 Report of the Committee on Supplies for March 12, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 345

A Resolution entitled, "Resolution amending Resolution No. 1103, approved December 10, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture for the Department of Personnel and Civil Service Commission, and for the payment thereof,' by increasing the amount from \$3,720.50 to \$4,779.66."

Which was read.

Also,

Bill No. 346

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the furnishing and delivery of Portable Stage for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 346, the \$30,000 for the portable stage for the Parks Department, may I make a request through Mike Perry that a two page request or three page request for a foundation grant be prepared and be sent to the Pittsburgh Foundation, the Sara Scaife Mellon Foundation and any and all other foundations they might deem appropriate and I would like copies of same so that I can make a few phone calls and I think we can raise that money.

I have been asking repeatedly why we have not been going out for foundation money, I have been told that they were, I have seen no evidence of that and perhaps when the letter is prepared, we could have somebody from Parks and Recreation tell us who they are sending it to in a five minute post agenda.

Also,

Bill No. 347

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment for the Department of Lands and Buildings, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 491 Report of the Committee on Parks and Recreation for March 12, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 313

A Resolution entitled, "Resolution providing for a lease agreement or agreements with Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovation of the facility and for payment of the cost thereof; and amending Resolution No. 1495 of 1978."

Which was read.

Also,

Bill No. 351

A Resolution entitled, "Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in connection with the 1980 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 352

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1980; and providing for the payment of the cost which is not to exceed \$47,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 353

A Resolution entitled, "Resolution providing for an Agreement or Agreements with part time, as needed Community Education Instructors in connection with the 1980 Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 354

A Resolution entitled, "Resolution providing for an agreement or agreements with University of Pittsburgh in connection with the 1980 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 355

A Resolution entitled, "Resolution providing for an agreement or agreements with Ozanam Cultural Center for professional services for a recreational, cultural and educa-

tional program for residents of the City of Pittsburgh and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 356

A Resolution entitled, "Resolution providing for an agreement or agreements in connection with the 1980 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 357

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1980; and providing for the payment of the cost which is not to exceed \$15,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley presented

No. 492 Report of the Committee on Public Safety for March 12, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 360

A Resolution entitled, "Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous services in connection with the Emergency Street Phone Network Project, Phase II, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 378

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 493 Report of the Committee on Lands and Buildings for March 12, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 13

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of a new No. 42 Fire Station, Chestnut Street and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## MOTIONS AND RESOLUTIONS

Mr. Stone presented

No. 494 WHEREAS, Pittsburgh is a "whole world of people" and has progressed, not only through the physical and financial contributions of its stable ethnic population, but also has been enriched by the contribution of their culture, history, music and ethnic foods; and

WHEREAS, the Pittsburgh International Folk Festival has, is, and continues to, yearly, bring together a great manifestation of this rich ethnic composite, to the credit of this City, this region, and this nation; and

WHEREAS, this great Festival, was, is, and will continue to even greater heights, through the dedication, devotion, but above all, the able leadership of its director since 1963, Charles R. Cubelic; and

WHEREAS, Charles R. Cubelic has throughout his lifetime, been an advocate of the perpetuation of ethnic and cultural heritage and has served on many organizations and committees, too numerous to mention, to promote the cultural heritage of Pittsburgh's ethnics; and

WHEREAS, Charles R. Cubelic was a recipient of the Pan Slavic Alliance Slavic Heritage Award in 1978; and recently was appointed Chairman of the Park of All Nations Committee by the Commissioners of Allegheny County; and

WHEREAS, on Sunday, March 23, 1980, Lodge No. 1 of the Croation Fraternal Union of America will honor his great contributions,

## NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the City Council of the City of Pittsburgh do hereby publicly acknowledge the

great dedication, devotion and excellent leadership of Charles R. Cubelic in fostering and perpetuating the cultural history of Pittsburghs ethnic population in general, and in specific the Pittsburgh International Folk Festival and do hereby extend their best wishes and congratulations to Charles R. Cubelic on the 23rd day of March, 1980, his day of honor.

Which was read.

Mr. Stone moved for approval.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair presented

No. 495 WHEREAS, Robert G. Kroner joined the Pittsburgh Police force in 1950 as a beat patrolman, developing a reputation for honesty and dependability and in 1956 was voted Pittsburghs Most Courteous Police Officer; and

WHEREAS, his progress through the ranks included his appointment as Traffic Lieutenant in 1962, being promoted to Acting Inspector in 1966, later commanding a tactical unit specializing in life rescue and bomb handling and returning to traffic in 1971 where he remained until his appointment as Chief of County Detectives in February, 1972; and

WHEREAS, Robert G. Kroner was appointed to the post of Superintendent of Allegheny County Police on September 1, 1972 and after eight years under his leadership the Allegheny County Police has expanded its focus to become one of the Nation's most innovative and progressive police forces.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh recognizes and applauds the great achievements of Robert G. Kroner as Superintendent of the Allegheny County

Police and expresses appreciation for his dedicated service not only to the people of the County of Allegheny but also the citizens of the City of Pittsburgh.

Which was read.

Mr. Stone moved for approval.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, I am sure you are aware of my letter to the Mayor with reference to the Dravo Corporation site—I sent copies to all members of Council—I must confess that the first I became really aware, and we knew there was a Grant Street development going in, but the first I became aware of the problems in that area was when I read your story in the media on the fact that you were raising Cain about some of the problems there and I took the opportunity and I had it confirmed this morning at the Mayor's meeting, that I had called from my hospital bed and spoke to Mr. Lurcott's associates, the engineering people working on the plan. I said I had just learned about it from a story in the paper and that I felt we needed more information and I asked how they had determined that they would extend Ross Street. They said there were some studies done, I said don't you think it would be appropriate to bring those studies to Council and tell us about the individual study, etc. He agreed, and he said as a matter of fact, we were planning to do that.

I then spoke to Mr. Matter and got the same—remember you said Mr. Matter said they would be bringing it to Council. I was really a little surprised, maybe I shouldn't be that the Mayor took this abusive attack and tried to make me into a gadfly in a press release, the press story on Friday. I will be responding to that in my own way. However, I think it is incumbent upon us that we do not get ourselves sandbagged as we did on PPG, you have said, if I am quoting you correctly, Mr. President, that

you felt that you may have voted differently if you had known all the issues.

**The Chair:**

Absolutely.

**Michelle Madoff:**

I am not, and I want this clearly understood, I don't think there is a member of Council that is an objectionist and doesn't want to see industry go up here and the revenue it will generate. However, I don't think we should be required to vote in a vacuum and when the Administration comes out, as they did in the bottom of this article, the last paragraph and says, "The Dravo Corporation is a One Billion Dollar firm and that its new headquarters, blah, blah, blah, and new real estate taxes and new jobs", implying that we don't feel the same way. Of course we all feel the same way, but I think we should have the decency, or he should have the decency to give us the opportunity not to vote in a vacuum.

Now, Mr. Robinson was interviewed on Channel 2 and said anybody who wants to get information can talk to anybody privately, and we have, and I have, and that is the same thing as the Mayor, through Mr. Matter responding—his guru—responding here in Council and saying, "the Mayor has met with the Legislators from Harrisburg, some of them", they should be meeting collectively and working collectively, finally at some point.

I don't know how you plan to handle it, but I think it will have to be your leadership and I think we had better start being sure that we are informed on all segments because I am just not voting and I don't care who calls me an obstructionist, its just not true.

**The Chair:**

Well, you have a very bad trend here, Michelle Madoff, to this extent, there was a bitter fight as to regards to whether it was the Oxford Development Corporation or

Hillman, which would get this site across the street, there were bids or proposals and they were rather even and it was thought that Oxford had the best and then some people tried to throw Oxford out, unfortunately, Oxford's bid prevailed. Now the only other alternative is for Dravo to tie in with U.S. Steel's and come over to this side of Grant Street and knock Oxford Development out, so if they didn't knock them out one way, they knocked them out the other way and it is as simple as that.

As far as Dravo and all these other companies threatening their subtle blackmail to leave town, as far as I am concerned, let them leave town. It is getting disgusting everytime that they want a project, you know, if they don't get the project, they are going to fly out of town.

The same with PPG, they could have gone over North Side for a lot less money, virgin territory over there, not disturbed a soul, but no they had to come down here and take this whole complex and I am as guilty as everyone else for going along with it. How or why I did, I don't know to this day, but I am getting a little tired of these big corporations saying, "Hey, we are going to have our way or we're going to move." Let them move, its getting sickening. What kind of an era are we in when all they do is threaten all the time, because they have all that money they can come along and threaten, because Eddie Lewis and I don't even know the gentleman that well, took it out from under Hillman's nose, the big giant, and now all of a sudden, they are going to get even by Dravo coming across the street with U.S. Steel. Who's kidding who? As far as I am concerned, I'm not going to vote for one condemnation of property in that area or one vacation of a street. If they do it they are going to do it the American way and they are going to buy that property and they are going to pay the way they should pay, like everyone else. If you want a piece of property and I want a piece of property, we have to dicker and we have to buy it, we don't go in and condemn it and we don't push people out of the way. They are no better than anybody else.

**Michelle Madoff:**

Especially when the City comes up with \$760,000 for free streets which we don't do for other developers, and could have gone to \$1.6 Million and not had those three merchants who have families living off that business having to have those hundred thousand dollar mortgages.

**The Chair:**

And your Mayor was party to it and he said he wasn't.

**Michelle Madoff:**

Personally, I don't know that in the final analysis I won't vote for the street, but I don't want to vote for something I don't know anything about, I want to see that study, I want to see why the study said we should extend Ross Street Way and I think Council was entitled to that kind of briefing. That was just the point that I made.

**The Chair:**

Well, to that extent, were you or any other member of Council briefed on Dravo?

**Michelle Madoff:**

No, that is my point, but the Mayor said he briefed certain people that he didn't that he did, that he didn't, but anyway.

**The Chair:**

I don't know about the Mayor, but I know Mr. Dickey doesn't have the time of day—

**Michelle Madoff:**

I would just like to finish this one thought, I inadvertently, last week, learned something that I think might be of interest to Council. Do the Councilmembers know that originally, PPG had planned to go to what is now considered, called the Oxford site? And they had met with Mr. O'Laughlin of the County Planning? I learned this, in-

cidentally, from a Commissioner. Subsequently, they came back and said, "Now we have another site", that site is the U.S. Steel site as we know it, the Dravo site. Subsequently, URA, I understand, went to PPG and said, "No, no, you don't want those sites, we are going to make you an offer you can't refuse".

Now, originally if they had gone to the Oxford site or the U.S. Steel site, it would have been only the PPG Tower, right? But here they get five auxiliary real estate ventures, and I bless them, more taxes for us, but I don't think that we can certainly condone the breaking of the Mayor's word, making us into liars, pushing us, that we only have a little bit of time, we've got to get this thing in the ground—you know, PPG, and we are going to do the same thing up here at U.S. Steel and not allow the people to have got a fair shake. And the Mayor accuses me of being on both sides of the issues, that I want to be with the developers and with the objectors—well he's damn right! Because we can be fair, we want that business, but we don't want anybody abused. And if he hasn't got enough leadership to understand that then I pity him.

**Mr. Givens:**

If you can recall, last week, it was so directed by myself and acting as the body of the Council, to send a letter to the President of U. S. Steel or someone within that Department to come before Council and brief us, all before this stuff appeared in the newspaper. This Council did act, and in good faith, and also, for the Executive Director, Stephen George, of URA to come before this Council within the next couple weeks to also give us an update on the PPG Project.

I don't feel that I've ever been snowballed or sandbagged in anything that I have voted on, or I would not have voted on it, it is that simple. I think what is happening with U.S. Steel, it is a private venture, and until it comes before this Council in some type of legislation, that we have to

condemn a street, or vacate a way or something like that, and it is within the prescribed zoning and variance, then this Council doesn't have too much to act on. When it does come before us, we'll take the time. I have asked U.S. Steel, and I hope this whole Council, to let us know what some of their plans are, so that if some of this is coming down the line, that we will know about it and maybe can ask those questions of inquiry that all of us do to get the information that we feel we need to make intelligent decisions on the things that we have to vote on.

**Michelle Madoff:**

Mr. President, with reference to the term "sandbagged", I think it needs clarification since it is my term. When I talk about sandbagged—

**Mr. Givens:**

I have sandbagged many things in my life Michelle.

**Michelle Madoff:**

Allright, when I refer to sandbag in this instance, would anybody disagree that we were called into the Mayor's Office at the great unveiling of the proposed PPG and everybody oohed and awed and said, "wonderful, great, it is going to help the City", and then—and then we were invited over to St. Mary's Church and we found out everything wasn't peaches and cream and that is what I mean by sandbagged.

**Mr. Stone:**

Mr. President if I may, relative to an article that was written to one of our Councilpersons, I will not deal with that one, that was kind of explicit and let it rest that way, and if she feels disposed to respond to it, she may but, PPG was brought up in this instance and it always comes in in the portion—and I am going to be restrictive in my comment, I'm not talking about how anything was handled, other than the negotiation portion of it where you are having a

negotiation between parties. I know of no instance where public negotiations on money exchanges on purchases or sale has ever been done, or done meaningfully.

I would hope that we on Council would let that take its normal course, and at the proper time if there is deadlocks, we will see where it goes. But I think part of the problem that we have perpetually with some of these things is, that some people get some information and then the next thing you know, we are negotiating in public. That has no value in the long run, to the property owner affected, nor to the particular governmental agency dealing, or any developer. I think we ought to let the negotiations take their course to see where they go. While we might feel that we have the magic answer to all of it, I think from my experience at least, it is always better to let the negotiators negotiate until we see where they get. And, when someone makes an offer, I think what you have to do is see what the response is, the counteroffer and see where it gets, and then you know where you are.

Relative to the proposed matter at Grant Street, I believe in fairness to the Mayor, certain members of Council, me as Finance Chairman, I think Planning was informed and some others, I think Public Works may have been, I'm not so sure, we may have been informed after, I'm not so sure. But I was called in with two individuals at that time, because it affected those particular aspects of it.

In fairness to everyone, and let's have it clearly understood, the plans and ideas that were revealed at that time, were not for public result because of the question that now comes up and that is the matter, where was Dravo going? That was a crucial matter, because, how that particular perspective tenant was to go was crucial to what may happen elsewhere. So as far as I was concerned, nobody asked for any votes, nobody asked for any commitments, it was just a tentative kind of an informal briefing, I didn't find anything that needed to be handled publicly and I do not find any-

thing wrong with not disclosing what was mentioned at that particular time. I think those kinds of things, just like negotiations, have to get to a point, as to where they are before we go any further with it, but I am not saying that I am for or against anything, because I didn't do it then, I'm not doing it now. I have to see for me at least, what now, and it only happened what? Yesterday or two days ago—that Oxford had made a decision. That now will determine a lot of things, but heretofore, when they didn't know where they were going, there were a lot of things being held in abeyance, but in fairness to the Mayor, he did give a briefing on it to at least some of the Councilpersons whose department was affected in that particular aspect. And I would not like to shirk away from that, I admit it so that it is clear. What his reasons are for not doing any more informing is up to him.

**Michelle Madoff:**

I don't think the issue, Mr. President, is whether Dravo went one way or the other way. What has that got to do with the Ross Street extension? I was told by Mr. Lurcott and his people, that the Ross Street extension, the taking of the Interlude, was based on a study that they did to determine that that was necessary. Whether Dravo went there or not is not even an issue. That is what I am talking about, I want to see that study. On what basis was this decision made?

**Mr. Stone:**

You get a waiver to stop them from the Plaza Building, they are moving me out May 1.

**Michelle Madoff:**

And this is not a joking matter—

**Mr. Stone:**

It's not a joking matter, I've only got 30 days to get out.

**Michelle Madoff:**

I'll find you a place in the corner.

And when the Mayor says that he doesn't want things talked about because it is not in the public interest for the public to be informed, I think he forgot there is such a thing as a Sunshine Law and when does he get off, or what is anybody getting off deciding what is in the public interest? What is the public—when we want their opinion, we'll give it to them, we have to protect the public. But anyway, I do want to point out—

**The Chair:**

Lenny Polaio didn't discuss it with me, I don't know about anyone else.

**Michelle Madoff:**

Well you are only President of Council, you didn't expect it did you? And then of course there is, I guess you are in the same category as I am, you can't be trusted. "Dravo Selects U.S. Steel Site for Headquarters", the point out that he testified in Washington the week before and blew it all, I mean its such a big secret. If somebody had talked to someone who had been at the meeting in Washington, we would have known what was happening. We are confusing oranges and apples here. I think what we are asking for and I think what you started out asking for was not where Dravo was going, but what was happening with Ross Street extension and the taking in the subway and how it impacted on the City and how traffic would go and I only expanded it to say, to take down a hotel when you are building a convention center, where do you put those people. Why don't we talk intelligently along those lines?

The Mayor calls me to say, "I'm going to make two appointments, isn't that wonderful, and don't tell anybody" and I walk out of my office and some other Councilmember tells me this big secret. I mean this is a lot of b.s. But as I say, I will deal with him in my own way.

**The Chair:**

You know the Mayor was quoted as



saying that I made a remark that it was a filthy steal on the part of U.S. Steel and Administration but the only thing filthy in the whole thing was the Interlude, it was a filthy place. I've been to the Interlude several times and I think all of you have and I don't see where it is a filthy place, and I thought it was a rather stupid and erroneous remark, but he made it anyway.

**Michelle Madoff:**

One quick other item, it really is important. There was a little blurb in the paper by Carl Morris about the cost of mailings is \$5,000 and we are sending out the material. I just wanted you to know that not only do we send it for \$5,000, but I don't get it. The mail in Squirrel Hill gets here—

**The Chair:**

I wish I didn't get it, but go ahead.

**Michelle Madoff:**

I just want to make a point, the mail gets to my house on Monday afternoon, I have already left the house Monday morning, the Mayor's agenda didn't get there at all before today, I have one in my box, one in my office, one on my desk, one here, one on the desk and another one. Now—

**The Chair:**

You know Michelle I inquired a long time ago as to why they send out the agenda when obviously we are aware of it and we have copies and I was told by the then City Clerk, Lou DiNardo, and reiterated by Mike, that it is the law and they have to send them.

**Michelle Madoff:**

Yes, but I want to do something productive, may I suggest that a mailing listing the important items, alerting the public to the kind of things that they would want to be, perhaps be, concerned about. And I must congratulate Councilman O'Malley be-

cause he has been sending out notifications to people saying, "Hey, there is an important hearing coming up on the North Side, you want to know about it" he's had I'm sure, considerable amount of gratitude from the people. I have a list of people that I send announcements out if something is happening. I'm sure other members of Council do. Perhaps Mr. O'Malley would design something that would really be meaningful. The groups tell me that when they get this or they get the agenda it doesn't say anything. Its too confusing, it is Bill No. so and so dealing with blah, blah, blah it doesn't really mean anything to them. When I go to vote here I have to say, which one? Mr. Givens is this the Oakland garage, is this the one on Allegheny because it doesn't spell it out. What we could do is just have the notice that says, "the issue of the Allegheny General Hospital will be coming up on so and so date", "the issue of the Oakland garage is coming up" and have a one page notification going to all of the groups. It would come from Council as opposed to my duplicating Mr. O'Malley's list and so on.

Could this be a motion? Or could we consider that at another time? Instead of sending those out to all the groups which are meaningless, change the form.

**The Chair:**

Its a good idea.

**Mr. Givens** moved to excuse Mr. Robinson for absence from this meeting.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Monday, March 3, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, March 24, 1980

No. 12

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't. City Clerk

Pittsburgh, Pa.  
Monday, March 24, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 496 Resolution providing for the issuance of a warrant in favor of George H. Davis Equipment Co. in the amount of \$52,000.00 in payment for specialized repairs furnished for the benefit of the City

in connection with Sewer Vector, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 497 Resolution providing for an agreement or agreements with Green International for Consultant Services in connection with the Design of the Swindell Bridge (PW80-19); and providing for the payment of costs thereof.

Also,

No. 498 Resolution providing for an agreement or agreements with Pullman Swindell, Division of Pullman, Incorporated, for Engineering Services in connection with Charles Anderson Bridge (PW76-17); and providing for the payment of the cost thereof.

Also,

No. 499 Resolution providing for an agreement or agreements with a Consultant or Consultants in connection with the Design of Traffic Improvements in Oakland (PW80-04); and providing for the payment of costs thereof.

Also,

No. 500 Resolution providing for an agreement or agreements with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal Sys-

tem (PW78-16); and providing for the payment of the costs thereof.

Also,

No. 501 Resolution providing for an agreement or agreements with Mackin Engineering Co. for Consultant Services in connection with Design of the Spahr Street Pedestrian Bridge (79-16); and providing for the payment of costs thereof.

Also,

No. 502 Resolution providing for a contract or contracts for the installation and removal of Flashing School Signs (PW79-24); and providing for the payment of costs thereof.

Also,

No. 503 Resolution providing for a contract or contracts for improvements to the Chestnut Street Intersection, (PW80-23); and providing for the payment of costs thereof.

Also,

No. 504 Resolution providing for a contract or contracts for Street Improvements to implement the Lower Northside Traffic Plan (PW80-21); and providing for the payment of costs thereof.

Also,

No. 505 Resolution providing for a contract or contracts for demolition and replacement of Radcliffe Street Bridge (PW80-16) and related street improvements, including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept. of Transportation, and providing for the payment of costs.

Also,

No. 560 Resolution providing for a

contract or contracts for Demolition of Lowe Street (PW80-13); and providing for the payment of the costs thereof.

Also,

No. 507 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. McGee, McNamara, Rye and Marotto, to attend Asphalt Conference, College Park, Maryland, March 27, 1980, at a cost not to exceed \$700.00, payable from Code Account No. 1643, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 508 Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation, in the amount of \$25,000.00, for extra work in connection with the Hill District Branch of Carnegie Library, without previous authority of law, and providing for the payment thereof.

Also,

No. 509 Resolution providing for the issuance of a warrant in favor of L. D. Astorino, in the amount of \$3,130.61, for extra work in connection with sub-surface studies at No. 22 Engine Company, Arlington Avenue, without previous authority of law, and providing for the payment thereof.

Also,

No. 510 Resolution providing for the issuance of a warrant in favor of The Circul-Air Corp. in the amount of \$7,026.05 in payment for purchase of a washer, dryer, and hose rack furnished for the benefit of the City in connection with No. 10 Engine Company, and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 511 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$12,218.00 to Landau Bldg. Co. for extra work in connection with relocation of West End Police/Fire Station No. 8 and 10, to be payable from Capital Project No. LB76-04, No. 8 Police Station Relocation and Bond Fund 228, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 512 Resolution providing for the issuance of warrants in favor of Xerox Corp. in the aggregate amount of \$48,000.00 for periodic rental payments for the Xerox machine Model Number 9400 located in the City of Pittsburgh Print Shop.

Which was read and referred to the Committee on Finance.

Also,

No. 513 Resolution providing for an agreement or agreements with a professional stenographic reporting service or services in connection with hearings of the Zoning Board of Adjustment, and providing for the payment of the costs thereof.

Also,

No. 514 Resolution amending Res. No. 972, approved November 7, 1979, entitled, "Providing for the letting of a contract or contracts for the letting of a contract or contracts for the furnishing and delivery of 17 police sedans, less trade-in, for the Department of Police, and for the payment thereof," by increasing the amount from \$110,000.00 to \$119,000.00.

Which were read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 515 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Meter Shop equipment (wackers, pumps, rock drills, etc.) for the Department of Water, and for the payment thereof

Also,

No. 516 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks, less trade-in for the Fire Department and for the payment thereof.

Also,

No. 517 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of paving breakers and clay diggers for the Department of Water, and for the payment thereof.

Also,

No. 518 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a floor scrubbing machine for the Department of Lands and Buildings, and for the payment thereof.

Also,

No. 519 Resolution providing for the letting of a contract or contracts for the furnishing, delivery, and installation of custom made vertical blinds for the Southside Markethouse, Department of Parks and Recreation, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 520 Resolution providing for the issuance of a warrant in favor of Davison Sand and Gravel Company, 3rd Avenue and 4th Street, New Kensington, PA 15068, in the amount of \$1,903.57 in payment for the purchase of ready mix concrete furnished for the benefit of the City and providing for the payment thereof.

Also,

No. 521 Resolution providing for the issuance of a warrant in favor of May Pipe & Supply Inc., Box 366, Route 18, Atlasburg, PA, 15004, in the amount of \$437.30 in payment for the purchase of repair clamps furnished for the benefit of the City and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 522 Resolution amending Res. No. 517, approved April 21, 1978, entitled, "Providing for a contract or contracts for the replacement of 4" water lines supplying fire hydrants and providing for the payment of the costs thereof," by reducing the appropriation.

Also,

No. 523 Resolution amending Res. No. 300, approved March 27, 1978 entitled, "Providing for a contract or contracts for the replacement of 4" water lines serving fire hydrants and other work incidental thereto, and providing for the payment of the cost thereof," by reducing the appropriation.

Also,

No. 524 Resolution amending Res. No. 1118, approved October 6, 1978, entitled, "Providing for a contract or contracts for

the replacement of 4" water lines on various streets and providing for the payment of the cost thereof," by reducing the appropriation.

Also,

No. 525 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$11,623.11 to Trumbull Corp. for pipe and fittings.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 526 Resolution providing for an agreement or agreements with The Commonwealth of Pennsylvania, Dept. of Environmental Resources (DER) for the City's Young Adult Conservation Corps Project.

Also,

No. 527 Resolution providing for the filing of application with Pennsylvania Dept. of Education for grant in connection with Special Summer Food Service Program Project.

Also,

No. 528 Resolution providing for the letting of a contract or contracts for the purchase of Food Vendor services and administrative costs for the Special Food Service Program for children from funds provided by the Commonwealth of Pennsylvania, Dept. of Education.

Also,

No. 529 Resolution providing for an agreement or agreements with the County of Allegheny for use by the City of the right-of-way owned by the County under the 16th Street Bridge for market place purposes.

Also,

No. 530 Resolution providing for a

lease with Union Realty for the use of the rear parking area of the Carrick Shopping Center for a Farmers Market in an amount not to exceed \$1.00, chargeable to and payable from Code Account 1801, Misc. Services, Department of Parks and Recreation.

Also,

No. 531 Resolution providing for a lease with the Buncher Company for the use of the Keystone Flea Market parking area for an outdoor flea market in an amount not to exceed \$1.00, chargeable to and payable from Code Account 1801, Misc. Services, Department of Parks and Recreation.

**Mr. O'Malley presented**

No. 532 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Alan L. Carb, Esquire in the amount of \$400.00 in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law.

Also,

No. 533 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pgh., PA, 15230, in the amount of \$1,218.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 534 Resolution providing for the issuance of a warrant in favor of Crown Wrecking Co. Inc. in the amount of \$282,586.85 as full and final payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street, Itin Street, chargeable to and payable from Community Development Block Grant Funds, Unspecified Local Option, Code Account CC79-01.

Which was read and referred to the Committee on Finance.

Also,

No. 535 Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 215-219 4th Avenue, Lot and Block 1-H-179 in the Market Square Historic District, 1st Ward.

Also,

No. 536 Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 1243-1247 Monterey Street, Lot and Block 22-J-294, in the Mexican War Street Historic District, 22nd Ward.

Also,

No. 537 Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 1220 Monterey Street, Lot and Block 22-J-267, in the Mexican War Street Historic District, 22nd Ward.

Also,

No. 538 Resolution amending Res. 695 of 1979 providing for periodic transfer of amounts not to exceed \$100,000.00 from 1978 Community Development Block Grant Program Trust Fund, Weatherizing Homes in Pittsburgh, Salaries to CETA T6, Trust Fund, Federal Funds to pay for wages and fringe benefits to CETA enrollees in WHIP Program by increasing the maximum amount from \$100,000.00 to \$102,000.00.

Also,

No. 539 Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pgh. for the performance of certain work in connection with the 1980 Community Development Block Grant Program, and providing for the payment of the cost thereof.

Also,

No. 540 Resolution approving a form of contract for Disposition of Land by and between URA of Pgh. and Maria T. Johnson for the sale of Parcel 79 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 541 Resolution approving a form of contract for Disposition of Land by and between the URA of Pgh. and Harold and Riva Freeman Gee for the sale of Parcel 97 in the 3rd Ward of the City of Pgh. in Redevelopment Area No. 31.

Also,

No. 542 Resolution approving a contract for Disposition of Land by and between URA of Pittsburgh and Cecilia T. Champ for the sale of Parcel 68B in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also,

No. 543 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Reilly, to attend Moderate Rehab. Seminar, Chicago, IL, April 18, 1980, at a cost not to exceed \$325.00, payable from Department of Housing CDHD-Administration, HD 79-09.

Also,

No. 544 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Lou Daniel, to attend Public Relations and Communications Workshop, Delmont, PA, May 9, 1980, at a cost not to exceed \$75.00, payable from Code Account No. 1371, Misc. Services, Department of Housing.

Also,

No. 545 Communication from Robert Lurcott, Director, Department of City Plan-

ning, requesting permission for Raymond Reaves, Deputy Planning Director to attend Urban Development Action Grant and Urban Initiatives Conference, New Orleans, LA, April 9-11, 1980, at a cost not to exceed \$550.00, payable from CDBG Code Account CDPA 79.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 546 Resolution temporarily transferring the sum of \$525,000.00 from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of City Controller.

Also,

No. 547 Resolution amending Res. No. 1229 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$75,000.00 for Project CR80-01, Design and Implementation of Financial Management Information System, Department of City Controller.

Also,

No. 548 Resolution authorizing the Mayor and the City Controller to enter into a contract or contracts or use of existing contracts for the design, purchase and installation of a Financial Management Information System at a total cost not to exceed \$525,000.00, chargeable to and payable from Capital Project Account CR80-01, Department of City Controller.

Also,

No. 549 Resolution amending a portion of Res. No. 1002 approved Nov. 9, 1979, entitled: "Amending a portion of Res. No. 826 approved Sept. 17, 1979 entitled "Providing for an agreement or agreements with Manchester Citizens Corp., Pgh. Ballet Theatre, Elder-Ado, Inc. Pgh. Arts and Crafts Center for the implementation of the Comprehensive Employment and Training



Act, Title IV Subpart B of the Youth Employment and Demonstration Projects Act (YCCIP) Youth Community Conservation Improvements Project and providing for payment of the costs thereof.

Also,

No. 550 Communication from John McAllister, Manager, City Information Systems, requesting permission for Marcia Papst and Paul Krall, to attend Advanced Operators Training Course, Phoenix, Arizona, April 14-25, 1980, at a cost not to exceed \$2,450.00 payable from Code Account No. 1043, Misc. Services and requesting as an exception to Ordinance No. 172 of 1973, which limits travel advances to City employees to air fare and registration an authorization of an advance payment from the Treasurer's Employees Travel Expense Advance Account in the amount of \$500.00.

Also,

No. 551 Communication from George Jacoby, Deputy Director, Department of City Treasurer, requesting permission for Bettamae Goldberg and Barbara Lapcevic to attend PA Self-Insurers' Assoc. Workshop on Workers' Compensation, Hershey, PA, April 11, 1980, at cost not to exceed \$400.00, payable from Code Account 1063, Misc. Services.

Also,

No. 552 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Michael Herman, to attend Conference of Private Industry Councils on Training and Development, Philadelphia, PA, March 21, 1980, at cost not to exceed \$220.00, payable from CETA Trust Fund, federal funds.

Also,

No. 553 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Michael Herman and Paul

Frey, to attend Workshop involving training on Dept. of Labor Occupational Guidelines, Pgh., PA, March 28, 1980, at cost not to exceed \$75.00, payable from CETA Trust Fund, federal funds.

Also,

No. 554 Communication from George Jacoby, Deputy Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of February 29, 1980.

Also,

No. 555 Communication from John E. McGrady, City Controller, submitting an audit report on the City's Animal Control Program, in accordance with Resolution 444 of 1979.

Also,

No. 556 Communication from John E. McGrady, City Controller, submitting a performance audit of the City Payroll System.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 577 Report of the Committee on Finance for March 19, 1980 transmitting sundry resolutions to Council.

Also, with an affirmative recommendation,

Bill No. 391

A Resolution entitled, "Resolution authorizing the Issuance and Payment of a Semi-Final Estimate to Bouquet Construction Company, in conjunction with Sidewalk Construction Various Locations and Other Work Incidental Thereto, (Community Development) Controller's Number 22999-F, and reducing the retainage percentage from ten (10%) to one (1%) percent."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 402**

A Resolution entitled, "Resolution providing for the transfer of funds, in the amount of Twenty Thousand (\$20,000) Dollars from Code Account 1838, Miscellaneous Services to Code Account 1839, Supplies and Materials, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Givens</b>
<b>Mr. Flaherty</b>	<b>Michelle Madoff</b>

<b>Mrs. Masloff</b>	<b>Mr. Stone</b>
<b>Mr. O'Malley</b>	<b>Mr. DePasquale</b>
<b>Mr. Robinson</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 453**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc, in the amount of \$1,446.00 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

**Bill No. 454**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc, in the amount of \$1,446.00 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

**Bill No. 455**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Baum Boulevard Dodge, Inc., in the amount of \$1,540.06 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

**Bill No. 456**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

Mack Trucks, Inc., in the amount of \$5,490.73 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 457

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of American LaFrance Company in the amount of \$16,082.91 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 458

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$6,949.37 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 459

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Motors Corporation in the amount of \$16,811.53 for emergency repair work to City vehicles without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 478

A Resolution entitled, "Resolution transferring \$50,000.00 from Code Account 44, Workman's Compensation Fund, to Code Account 42, Contingent Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 558 Report of the Committee on Public Works for March 19, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 392

A Resolution entitled, "Resolution creating a special trust fund for the deposit of a grant from Warner Cable Corporation of Pittsburgh for community communications."

Which was read.

Also,

Bill No. 393

A Resolution entitled, "Resolution vacating Acosta Way from Meyers Street East and Alries Street in the 29th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 444

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 914, effective October 16, 1979, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by increasing the amount of funds allocated for PW 78-21, 4-01-25-0746-78, Thompson Run Sewer."

Which was read.

Also,

Bill No. 445

A Resolution entitled, "Resolution amending Resolution No. 619, approved June 6, 1979, effective June 10, 1979, entitled, 'A Resolu-

tion providing for a Contract or Contracts for the contracts for the construction of Thompson Run Storm Sewer (Cooley Way) 4-01-25-0746-78 (PW 78-21), Phase I', by increasing the project allocation by \$43,233.67."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 559 Report of the Committee on Planning, Housing and Development for March 19, 1980.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 361

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification Program on highly visible vacant lots in designated Community Development Neighborhoods for an amount not to exceed \$40,000.00."

Which was read.

Also,

Bill No. 363

A Resolution entitled, "Resolution amending Resolution No. 600, approved June 27, 1979, entitled 'A Resolution amending Resolution No. 527, approved May 22, 1978, entitled, 'A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herrs Island and providing for the payment of the cost thereof' as amended by Resolution No. 372, approved April 25, 1979, entitled, 'A Resolution providing for the Mayor and the Director of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof by increasing the amount of the Agreement' by the transfer of CD Funds to the Industrial Land Reserve Fund and providing for the transfer of land from the City of Pittsburgh to the Authority and the assumption by the City of obligations of railroad companies relating to utility lines, water lines, lift stations, etc., and bridges and appurtenances leading into Herr's Island' by increasing the amount of the agreement and by providing for Administrative Funds."

Which was read.

Also,

Bill No. 431

A Resolution entitled, "Resolution providing for an agreement or agreements with the Environmental Intern Program/Lower Great Lakes for one intern to provide staff assistance in connection with the Department of Housing's programs, at a cost not to exceed \$5,195.00, chargeable to and payable from the Department of Housing CDHDA," (HD-79-08)."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 560 Report of the Committee on Supplies for March 19, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 398

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Turf-Quaker for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 399

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various City

vehicles for the City of Pittsburgh, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 561 Report of the Committee on Parks and Recreation for March 19, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 401

A Resolution entitled, "Resolution providing for the taking of property in the Twenty-Ninth Ward of the City of Pittsburgh owned by Nicholas C. Signorelli for the expansion of Volunteer Field and authorizing payment of an estimate of Just Compensation of \$24,000.00 and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 403

A Resolution entitled, "Resolution amending Resolution No. 83, effective February 22, 1980 entitled: 'Amending Ordinance No. 540, approved September 25, 1975, entitled: "Providing for a contract or contracts for the purchase of playground and athletic equipment for various recreational areas in the Department of Parks and Recreation and providing for the payment of the cost thereof." by decreasing the authorization.' by correcting the authorization."

Which was read.

Also,

Bill No. 404

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of Southside Park and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 405

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the Southside Riverfront Park and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 406

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for acquisition services in connection with the construction of the Southside Riverfront Park, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 407

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of the Westwood Swimming Pool and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 408

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design and construction of Dunbar Ballfield and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 409

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design and construction of Brookline Park and Pool and Northgate Park and Pool."

Which was read.

Also,

Bill No. 410

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill Top United Methodist Church for the design and renovation of the Allentown Senior Citizen Center portion of the church and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 411

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Architects for Professional Services in connection with the design and construction of Renovations to the Arts and Crafts Center of Pittsburgh, Fifth and Shady Avenues; and providing for the payment of costs thereof; the amount of such services shall not exceed \$3,000.00."

Which was read.

Also,

Bill No. 412

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of a new swimming pool and park at Brookline Park and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 413

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and placing of electrical lighting equipment for the installation of field lights at Langley High School Field, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 414

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 415

A Resolution entitled, "Resolution providing for a contract or contracts for bituminous paving, fence and concrete work at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 416

A Resolution entitled, "Resolution providing for a contract or contracts for the rehabilitation of various ballfields and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 417

A Resolution entitled, "Resolution authorizing the acceptance of a Deed to certain property in the 16th Ward commonly known as Eleanor Parklet as a gift from Arch Lhormer and Phyllis H. Lhormer, his wife, and providing for the payment of title examination, proper closing costs and recording of deed."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 562 Report of the Committee on Lands and Buildings for March 19, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 395

Resolution amending Item (C) of Resolution No. 920, approved October 12, 1979, for the sale of property in the 6th Ward on 1224 Herron Avenue, Block 266-E, Lot 200 to Donald Thinnies by changing lot size from 20.33 x avg. 121.25 to read 20.33 x 71.68. All else in Item (C) of Resolution No. 920 shall remain the same and in effect.

Which was read.

Also,

Bill No. 396

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Mr. Coyne presented

No. 563 WHEREAS, the United States Steel Corporation as the number one steel producer in our nation feels the need to seek relief from foreign dumping of steel in our country; and

WHEREAS, the Federal Government has acknowledged that some foreign steel producers do sell steel in U.S. markets at less than production cost, the government acceded on this point when it admitted to the need for a trigger price mechanism; and

WHEREAS, continued dumping of foreign steel has led to plant closings and the related loss of some 11,000 American jobs; and

WHEREAS, the time has come for American labor, industry and government to start cooperating as their foreign counterparts do,

NOW, THEREFORE,

BE IT RESOLVE that this Council, on behalf of the citizens of the City of Pittsburgh urges the federal government to seek a just solution to the dumping of foreign steel in our country.

Which was read.

Mr. Coyne moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, Councilman Givens had asked last week that as soon as possible we be briefed on the developments at the U.S. Steel, Dravo site, I wonder if that has been scheduled Mr. Perry?

Mr. Perry:

I think its April 7th. I can check on that for you.

Michelle Madoff:

That's all right. The reason I want to mention it is that—

The Chair:

Pardon me. Are you talking about the hearing?

Mr. Perry:

It's a post agenda item.

Michelle Madoff:

It's a briefing.

I was approached the other day by a gentleman in the Plaza Building, I don't have his card with me, but he underwrites, or provides money for construction and I was surprised to learn that because of the immediate wrecking ball coming down on the Plaza Building and because space is so tight in the areas, Mr. Stone has stated before, he is leaving the City and is building a building out in Greentree I believe, I guess near the Kossman area.

I have heard rumored, and I don't know that it is fact, but I think we ought to check it, that some of the people in the Carlton House have three year leases and have said, no, they are not going. I wonder what bearing that will have on our zoning, you know, why push people out and have them go out of the City?

One of the developers had said to me that he was unhappy about the fact that we weren't having "an orderly development", and I thought it was sort of sour grapes, but now I know what he is talking about. If you take the wrecking ball to the Carlton House and to the Plaza Building before people have somewhere to go and they leave the City, that really isn't orderly development. When all of the buildings are coming out of the ground and mushrooming out at the same time. I think that is an area that we ought to be sort of thinking about when we look at developments, and I don't know if I will be here for that briefing, but certainly we ought to be talking in terms of how we are affecting the people in the Plaza Building and the Carlton House and what other provisions would be made.

**The Chair:**

I don't see how they can even talk about the Carlton House when we are in dire need of hotel rooms in the City of Pittsburgh, and until they can come up with some other hotels or see some other solutions, I would personally be violently opposed to tearing that place down. I don't care what their plans are.

**Mr. Givens:**

On another subject, for a post agenda, this Wednesday, I don't know if anyone has contacted, or if this body has contacted the Stadium Authority, I know we are reading about and hearing about the conditions of the Stadium over there. I think it would be advisable Mr. President, if we could possibly get someone from the Stadium Authority to come over here and brief this Council—

**The Chair:**

I think we have that on the agenda tomorrow.

**Mr. Perry:**

They are on the agenda.

**The Chair:**

You've got Mr. Portman and Mr. Smith, the Chairman of the Stadium Authority coming up.

**Mr. Givens:**

Then could we so direct Mr. Perry to advise them to be here this Wednesday—

**Mr. Perry:**

They are scheduled to be here.

**Mr. Givens:**

Oh, they are? Excuse me.

**The Chair:**

Yes, the Executive Director and the Stadium Authority Chairman.

**Mr. Stone** moved to approve the minutes of Monday, March 10, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXIV

Monday, March 31, 1980

No. 13

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### Municipal Record

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### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.  
Monday, March 31, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Young Mr. Fitzgerald, one of our staff members, suffered some kind of an attack and the medics are back there with him now. He is concious, they are working on him, he just had some kind of problem.

If I may, we would like to take this

meeting a little out of order today. Before the presentation of papers we have one appointment in front of us, it happens to be the appointment of the Fire Chief of the City of Pittsburgh and we will take that order of business first and then we will go on to the regular agenda.

#### The Chair presented

Bill No. 604

Communication from Richard S. Caliguiri, Mayor, submitting the name of Charles Lewis of 6 Lelia Street, as Fire Chief of the City of Pittsburgh, effective May 12, 1980.

Which was read, received and filed.

Also,

Bill No. 605

Resolution approving and confirming the appointment of Charles Lewis of 6 Lelia Street, as Fire Chief of the City of Pittsburgh, effective May 12, 1980.

Which was read.

#### Mr. Stone:

Mr. President, if I may, our nominee for Fire Chief, Charles Lewis, is not new to the Firefighters or to this Council. His years as a firefighter and his role as a firefighter are well known. Never has a nominee for any department head appointment, been under as close a scrutiny for so many years, before his appointment, as this particular nominee. He has probably had as

good an attendance record at our Council meetings as most Council people. But his appearance on behalf of the Firefighters at Council budget deliberations, public hearings, or whatever, have always been exemplary and an example for all to follow.

When he has appeared here, the issues were not trivial, but were of substance. He came prepared, knew the issues, got and presented the back-up material necessary, and he came with the support of witnesses. His testimony was never endless, but rather it was direct, forthright, and always relative to the point and above all, it was credible. His dealings were based on merit of the issue. His position, if appealed to the courts, was always sustained. His actions, singularly, in my opinion, have done more to frame a new course of improvement of our Fire Prevention Department than any other person in these past five years, at least since I have been on City Council.

One must acknowledge and appreciate his intestinal fortitude, his ability to speak up always, and when necessary. He has been responsible. Aside from his constructive criticism, he has always been responsible and offered to give input to help find a solution to the problem.

His compassion for the needs of the retired firefighters, but above that, his responsible offers from time to time, to have his active Firefighters help to participate with the City to relieve the City's burden is most commendable. But above all, his ability to be level-headed even under pressure in all of his dealings has been remarkable.

Again, he is not new to us and to the City, but most importantly, this man has the ability to lead and the people he will lead know him better than we. They have respected him and have followed his leadership. Leadership, of course, is his greatest quality.

He has come through the ranks of the Firefighters and therefore, obviously, he is

the one who ought to lead. While he may have some great regrets in leaving the leadership of this union, a role I believe he obviously enjoyed, their loss will be the gain to the Firefighters and to this City.

I therefore believe that there is no need for us to learn more about this particular nominee and to be quite blunt, I'm not here to bury him, but rather to move for the approval of Charles Lewis as the new Fire Chief of the Fire Department of the City of Pittsburgh with all of our best wishes and move that this action be taken now.

Mrs. Masloff seconded the motion.

The Chair:

Any further discussion on the appointment?

Mr. Givens:

Mr. President, I would like to make one note, that Charlie, although he was 62nd I think in ranking within the Fire Department, it is somewhat historical in the fact that the President of the Firefighters' Local No. 1, traditionally, over the years, has been nominated by past Mayors, to elevate that particular person to the position of Chief of the Fire Department of the City of Pittsburgh and I think we have, and it is recognized throughout the country as one of the finest firefighting group of men anyplace around. Their dedication to duty is something that goes far beyond. Some of the things that they actually do and how they work with the people and the various fires, not just the fires themselves, but the charity things that they are involved in.

I know Charlie will be sorely missed in the halls of Harrisburg where he has been such an effective lobby and it shows what one individual can do with the support of all of his men behind him

I strongly advocate Charlie Lewis as our new Fire Chief for the City of Pittsburgh.

**The Chair:**

He may have been 62nd but he is now number one.

If I may, along with what Mr. Givens has said, I think it is a great sacrifice on the part of Mr. Lewis as it was in regards to Mr. Ronnie Schmeiser who took over the Treasurer's job. Both of them made great sacrifices. In Mr. Lewis' case it is a matter of loving, and being dedicated to the union and it is always tough to leave that kind of a role, I have a bit of a problem myself. I know just how he felt and I know how his men feel about it, but I know what he is doing is best for himself and best for the City of Pittsburgh and I think that is what he has put above everything else, the interest in the City of Pittsburgh and with no disrespect to Mr. Kennelly, this now puts Pittsburgh in the big leagues as a Fire Department.

**Michelle Madoff:**

One comment, if all the appointments for all the department heads were of the caliber of Ron Schmeiser, Lou Gaetano and Charlie, just being nominated, this City would be in much better shape than it is today.

**The Chair:**

Thank you Michelle.

**Mr. Coyne:**

Mr. President, I would just like to add my voice to support the comments made by the previous speakers and to point out that I know Charlie Lewis well enough to know that he is going to bring the same type of dedication and honesty and hard work to the office of the Chief of the Bureau of Fire as he did in leading the Firefighters and their union.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**The Chair:**

Mr. Lewis is confirmed as the new Fire Chief of the City of Pittsburgh, congratulations Mr. Lewis.

**PRESENTATIONS**

**Mr. Coyne presented**

No. 564 Resolution further amending Res. Exhibit 1 of Res. No. 1350, effective January 1, 1978, as amended by Res. No. 597, effective June 7, 1978, as amended by Res. No. 977, effective Nov. 3, 1978, as amended by Res. No. 1532, effective Dec. 31, 1978, as amended by Res. No. 914, effective October 16, 1979, entitled "A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", and increasing project allocation for (PW 78-13) Herron Avenue Bridge.

Also,

No. 565 Resolution further amending Res. No. 1249, effective November 3, 1978, as amended by Res. No. 1522, effective Dec. 31, 1978, as amended by Res. No. 422, effective May 11, 1979, entitled "A Resolution providing for a contract or contracts

for the replacement of the Herron Avenue Bridge, PA, 78-13; and providing for the payment of costs thereof", by increasing the authorized amount from \$2,158,229.80 to \$2,708,229.80.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 566 Resolution further amending exhibit 1 of Resolution No. 1299, effective December 31, 1979, as amended by Resolution No. 114, effective February 28, 1980, entitled "Adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Program" by increasing the fund allocation for the Bloomfield Bridge Demolition, Design and Replacement (PW 80-17) by (\$650,000.00) CDPW-78.

Also,

No. 567 Resolution providing for a contract or contracts for Construction of an Asphalt Plant PW 80-33; and providing for the payment of the cost thereof.

Also,

No. 568 Resolution vacating Nittany Street between Lakewood Street and Acme Way in the 20th Ward of the City of Pittsburgh.

Also,

No. 569 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker, to attend National

Cable Television Assoc. Convention, Dallas, TX, May 18-21, 1980, at cost not to exceed \$925.00, payable from Code Account 1661, Misc. Services, Department of Public Works.

Also,

No. 570 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for myself and Richard Pugh to attend a Concrete Streets Seminar in Albany, New York, Sutton, Massachusetts, and Pawtucket, Rhode Island, on April 18, 1980, at a cost not to exceed \$650.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 571 Resolution further amending Res. 721 of 1979 as amended providing for issuance of warrant in favor of Carnegie Library of Pittsburgh for construction work in connection with unification of maintenance services and technical processing at Carnegie Library of Pgh. by reducing authorized amount to be expended from Capital Project LB 79-05 from \$66,877.05 to \$66,830.51.

Which was read and referred to the Committee on Finance.

Also,

No. 572 Resolution providing for Amendatory Cooperation Agreement with Urban Redevelopment Authority of Pgh. to act as acquisition and relocation agent in connection with purchase of real property for new Fire Station on Chestnut Street providing for additional cost of \$85,000.00, payable from Capital Project LB 76-01, No. 42/51 Fire Station, Chestnut St., Department of Lands and Buildings.

Also,

No. 573 Resolution providing for the

filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 574 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc. in the amount of \$2,965.00 for emergency repair work to City vehicles without previous authority of law.

Also,

No. 575 Resolution providing for the issuance of a warrant in favor of Penn Processing Company in the amount of \$16,175.28 for shipping charges for the emergency purchase of cinders without previous authority of law.

Which were read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 576 Resolution providing for the issuance of warrants in favor of IBM Corporation in the aggregate amount of \$4,500.00 for the rental of electronic word processing equipment for the Department of Supplies, and for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 577 Resolution providing for the

letting of a contract or contracts for the furnishing and delivery of loudspeakers and equipment for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

**Michelle Madoff** presented

No. 578 Resolution transferring \$12,000.00 from Code Account 1700 Salaries and Wages, Regular Employees to Code Account 1701 Miscellaneous Services.

Which was read and referred to the Committee on Finance.

**Michelle Madoff:**

On Bill No. 578 which I introduced today, I noticed that Mr. Cosentino is recommending a transfer of dollars, \$12,000 from Salary Code. This is only the first of April, I think that is a little—

**Mr. Stone:**

You are moving to recommit that bill?

**Michelle Madoff:**

No, this is a bill that has just been put in, it was just read today.

**Mr. Stone:**

We'll catch that on Wednesday then, Mike, you might tell him to find another source, because that money should be in Council's Code Account 42-3.

**Mr. Givens:**

Wait, we haven't even discussed the bill yet, wait for it to come on the floor.

**Michelle Madoff:**

I just wanted to point out to Council that the issue of taxes is not too far away and here is an example already, of starting

to transfer money out of salaries and I just wanted to bring it to your attention.

Also,

No. 579 Resolution repealing Res. No. 588, approved June 27, 1979, effective July 2, 1979, entitled "Resolution providing for a contract or contracts for the rehabilitation of the Chemical System Rotary Feeder; and providing for the payment thereof."

Also,

No. 580 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for John Stahoviak to attend American Water Works Association Annual Conference, Atlanta, GA, June 14-20, 1980, at cost not to exceed \$1,000.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Also,

No. 581 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Melvin Koedel to attend Cross-Connection Control Course, Erie Community College, Orchard Park, NY, May 19-22, 1980, at cost not to exceed \$600.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were severally read and referred to the Committee on Water.

**Mr. O'Malley presented**

No. 582 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for three members of the Department of Police, to attend St. Francis Community Mental Health Center Workshop Session on "Stress/Distress," Pittsburgh, PA, March 28, April 18, May 23, and June 6, 1980, at cost not to exceed \$105.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 583 Resolution providing for application with U.S. Department of Housing and Urban Development for grant in connection with Station Square Urban Development Action Grant Project.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 584 Resolution amending Section 11 of Res. 1267 of 1977 as amended, providing for filing of application of U.S. Department of Housing and Urban Development for grant in connection with 1978 Community Development Block Grant Program by decreasing certain line items indicated therein and creating new line item PW 78-37 Bloomfield Bridge Project (\$650,000.00).

Also,

No. 585 Resolution providing for an agreement or agreements with the Oakland Planning and Development Corporation, Inc. for the establishment of a Neighborhood Revitalization Office in Oakland for the implementation of the residential renewal work program as contained in the Oakland Planning Study.

Also,

No. 586 Resolution authorizing execu-



tion of license agreement with the Urban Redevelopment Authority of Pittsburgh whereby the City of Pittsburgh will have the use of Parcels 1B and 13 in the Allegheny Center Project, 22nd Ward, for Farmer's Market and Flea Market Purposes March 1, 1980 through Dec. 31, 1980.

Also,

No. 587 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend Ninth National Minority Business Opportunity Committee Conference, Miami Beach, Florida, April 15-18, 1980, at cost not to exceed \$800.00, payable from Code Account EDPP-TF, Economic Development Planning Program, Department of City Development.

Also,

No. 588 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Norma Madden to attend DCA Training Course "Increasing Program Value Through Improved Management Techniques," Grantsville, PA, April 14-18, 1980, at cost not to exceed \$450.00, payable from CDHDA (HD-79-08), Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 589 Resolution providing for the issuance of a \$1,336.20 warrant to Ellen O'Connor in full settlement of claim for damage; and providing for payment thereof.

Also,

No. 590 Resolution providing for agreement with Pittsburgh Building Construction Industry Administrative Committee for implementation of the Comprehensive Employment and Training Act, Title III, at cost not to exceed \$50,000.00, payable from CETA Trust Fund, federal funds.

Also,

No. 591 Resolution providing for agreements for professional of CETA Hearing Officer as requirement of grievance process under Comprehensive Employment and Training Act Equal Employment Opportunity provisions, at cost not to exceed \$10,000.00, payable from C-EOPP Trust Fund, federal funds; and providing for agreements for court reporting services in connection with CETA-EOPP Grievance hearings, at cost not to exceed \$5,000.00, payable from C-EOPP Trust Fund, federal funds.

Also,

No. 592 Resolution providing for agreements for professional services of CETA Hearing Officer as requirement of Grievance Process under Comprehensive Employment and Training Act Equal Employment Opportunity provisions, at cost not to exceed \$15,000.00, payable from CETA Title VI Trust Fund, federal funds; and providing for agreements for court reporting services in connection with CETA Title VI Trust Fund, federal funds.

Also,

No. 593 Communication from Mayor Richard S. Caliguiri, Mayor's Office, requesting permission for Kenneth Fields to attend Governmental Accounting and Auditing Seminar, Pittsburgh, PA, April 9, 1980, at cost not to exceed \$35.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 594 Communication from George Jacoby, Deputy Director, requesting permission for Mr. Schmisser to attend Municipal Finance Officers Annual Conference, Phoenix, Arizona, May 11-15, 1980, at cost not to exceed \$1,100.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 595 Communication from George

Jacoby, Deputy Director, Department of City Treasurer, requesting permission for Messrs. Schmeiser and Jacoby to attend Governmental Accounting and Auditing Seminar, Pittsburgh, PA, April 9, 1980, at cost not to exceed \$70.00, Miscellaneous Services, Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 596 Report of the Committee on Finance for March 26, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 463

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Clairton Slag, Inc, P.O. Box 10884, Pittsburgh, PA 15236, in the amount of \$2,797.50 in payment for the purchase of slag and sand furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 479

A Resolution entitled, "Resolution providing for the issuance of a warrant to Lillian B. Radolec and Joseph Radolec, her husband, in the amount of \$50,000.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 480

A Resolution entitled, "Resolution providing

for the issuance of a warrant to Michael Thomas and Elizabeth Thomas, his wife, care of Charles L. Kalson, Esquire, 808 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$1,530.00 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 481

A Resolution entitled, "Resolution providing for the issuance of a warrant to Andrew W. Glatz and Marguerita R. Glatz, his wife, care of Charles L. Kalson, Esquire, 808 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$2,090.00 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 482

A Resolution entitled, "Resolution providing for the issuance of a warrant to Dorothy Shamrock, care of Charles L. Kalson, Esquire, 808 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$850.00 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne

Mr. Flaherty

Mr. Givens            Mr. Robinson  
Michelle Madoff      Mr. Stone  
Mrs. Masloff        Mr. DePasquale  
Mr. O'Malley                (Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 483

A Resolution entitled, "Resolution providing for an Agreement with Offender Aid and Restoration Program of Allegheny County for the implementation of the Comprehensive Employment and Training Act, Title III, Subpart 3 of the Youth Employment and Demonstration Projects Act (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 484

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Young Women's Christian Association of Greater Pittsburgh for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 485

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies including but not limited to School District of Pittsburgh, Pittsburgh Catholic Educational Programs, Inc., and Ozanam Cultural Center, effective March 1, 1980, for the implementation of a City

Summer Youth Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 486

A Resolution entitled, "Resolution amending Resolution 17 of 1980 which established a "Workers Compensation Reserve Trust" fund with a City Depository."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 597 Report of the Committee on Public Works for March 26, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also,

Bill No. 446

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with Acres American Company for inspection and design services in connection with Schenley Park Bridge over B & O Railroad (4-01-05-0469-79) (PW 79-10); and providing for the payment of cost thereof."

Which was read.

Also,

Bill No. 447

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Acres American Company for inspection and design services in connection with Schenley Park Bridge over Panther Hollow (4-01-05-0425-80) (PW 80-18); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 448

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Green International, Inc., for inspection and design services, in connection with Fort Pitt Boulevard Bridge and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 598 Report of the Committee on Planning, Housing and Development for March 26, 1980 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 120

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map Numbered 11 and 16 by changing from 'R4' Multiple-Family Residence District to 'R2' Two-Family Residence District all that certain property bounded by: SOUTH HIGHLAND AVENUE: WALNUT STREET: Block 84-P, Lot No. 290 in the Allegheny County Block and Lot System; Block 84-R, Lot 45 in the aforesaid system; STRATTON LANE: Block 84-R, Lots Numbered 42, 41 and 9 in the aforesaid system; EMERSON STREET: SELLERS STREET: PURITAN WAY: Block 84-R, Lots Numbered 221, 219, 217, 215, 213 and 211 in the aforesaid system; EMERSON STREET: Block 84-R, Lots Numbered 88, 96, 99 and 72 in the aforesaid system; HOWE STREET and Block 84-P, Lots Numbered 308, 306 and 304 in the aforesaid system; 7th Ward."

Which was read.

Also,

Bill No. 121

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 265, by providing for temporary exemption from taxation from certain improvements to deteriorated dwellings and on residential construction pursuant to Act 42 of 1977;

and repealing Ordinance No. 596 approved December 29, 1972, entitled, 'An Ordinance providing for tax exemption for certain improvements to deteriorated dwellings pursuant to Pennsylvania Act No. 34 of 1971.'

Which was read.

**Michelle Madoff:**

On Bill No. 121, the other day when we were moving for approval I voted no, and perhaps that wasn't the correct vote. What I was saying was that I think it is an excellent bill but it doesn't go far enough and I was voting no just to make a point. But rather than voting no just to make a point I just would like it included in the record that I feel that putting a limit on individual homeowners who are going to get this tax deferrment or tax abatement of \$19,000 is really a joke, it just doesn't go very far when it costs just about that to do a bathroom or a washroom and you are not talking about doing wiring or any roofing or anything else yet, we are giving industry Carte Blanche. They have whatever abatements we are going to give them, will be without any curb and I think we should extend that same courtesy for the length of time to residents and I will then vote aye on this bill.

**Mr. Robinson:**

Mr. President, if I might, relative to Mrs. Madoff's concern, I am in the process of forwarding a letter to the State Legislature requesting that they reconsider the pending or the present state statute authorizing this type of exemption to take into consideration the very comments that Mrs. Madoff has made us aware of. Perhaps it would even be a good idea for me to prepare something in resolution form and perhaps Council could act on it and perhaps we could forward that to the Legislature next week.

**Michelle Madoff:**

An excellent idea.

**Mr. Stone:**

Mr. President, if I may, on that same issue, I would hope that the Councilperson who started this particular point would watch in the future, we are ending out voting one way and then getting the benefit of the vote in that sense, then later coming back another way. The point of issue was, last Wednesday, we were indicating that the State Legislature set a ceiling of \$19,000. So the vote for us was whether or not within that limitation we ought to give some of our residential people the opportunity to get the benefit of it. Now, to say I voted against that because of some other matter, the point is, you voted against giving someone up to \$19,000 which is what the Enabling Act of the Commonwealth of Pennsylvania permitted. Now, if we are going to do something else about saying something ought to be done, fine. But I think that we ought to watch that we are not giving double answers for one vote every other time.

**Michelle Madoff:**

May I respond Mr. President, that is exactly why I have changed my vote and not said that I would abstain, my voting no was a protest vote to call attention to the problem. I think Mr. Robinson is addressing the problem, I think everybody has been made aware of the problem and I don't think it is necessary for me to have a protest vote of voting no. I am therefore going to vote, obviously, to give whatever we can to the people. But conversely, I recall when Mr. Stone voted on the Kossman issue, as did I, to vote opposed to it, but then when it got down to they were going to get it anyway, we said well let's have some relief for the people in the area and he too changed his vote. So one is not always consistent because situations change from day to day.

**Mr. Stone:**

No, that is not my point, apparently she misunderstood me.

**Michelle Madoff:**

Oh, I understand you very well.

**Mr. Stone:**

Let me try it again, what I am saying is we could only give up to \$19,000 because that was restricted by the Commonwealth of Pennsylvania. Her vote was no, not to give them up to \$19,000, which means if there were sufficient votes anti, that would not have passed. That is the point I am making. In the future, if you agree with it, vote for it with comment, but don't vote against it.

**Michelle Madoff:**

Which is exactly what I did, that is what I did on the final vote.

**Mr. Stone:**

Not later, I want to be for it. Which conversely says, that I could have given you \$19,000 but I didn't want to give you \$19,000.

**Michelle Madoff:**

I think it is important sometimes to vote in a manner that calls attention to a problem, to focus something happening. Even my discussing it at that time, and while I could have voted yes, and I am on the final vote where it counts, voting yes to give them the \$19,000, I think you do this equally, at the same time that other people do it. Situations change, you change your vote.

**Mr. Stone:**

Michelle, I would be the last one to tell you how to vote, but I am still at a loss to understand your actions in December where you voted for \$180 Million worth of debt for the City of Pittsburgh...

**Michelle Madoff:**

Oh, I'm glad you brought that up—

**Mr. Stone:**

...and never voted for one penny to finance it.

**Michelle Madoff:**

You brought it up — you brought it up, now you give me a chance to respond. If the Chairman had given the people who were voting, who were not even present at the meeting because it was just on and on and on on line items, a chance to say, "okay, it appears that we need x number of dollars, we need \$180 Million, \$200 Million, we need to cut somewhere, where can we do the cutting as opposed to sitting down with individuals and saying, I'm going to cut here, I'm going to cut here, I'm going to cut there" there was never any input from this body to say, "what alternative sources can we raise revenue from". And I put out a seven page report or comment as to where I felt other sources of revenue could come from. I didn't just arbitrarily say, "I'm not going to vote", I said that if I voted for the Land Tax I would be recorded as having been opposed to the Wage Tax, or conversely, if I voted for the Wage, it was voting the other way. I was saying I was not voting either way. That was an abstention vote because I did not vote for Land, I didn't vote for the Wage Tax because we didn't need to raise taxes \$10 Million. And you never gave us to have any input because you ran the show like a Chinese Auction.

**Mr. Stone:**

I won't say anymore other than to borrow a few remarks from Mr. Coyne who said that actions of that kind are being fiscally irresponsible and I close it with that.

**Michelle Madoff:**

I had spoken to Mr. Coyne about my vote and he agreed with many of the statements I made in my critique and I don't think he would deny that.

Also,

Bill No. 473

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements with Penn State University to provide a 10 week training program on Code Enforcement Certification, 'Building Construction and Technology' for 21 Department of Housing employees and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Mr. President, I would like to ask Mr. Robinson a question. Mr. Robinson, on Bill No. 473, would that have anything to do with the Urban Revitalization Program that we have been doing a little research on?

**Mr. Robinson:**

Bill No. 473?

**Michelle Madoff:**

473. Is that strictly inspectors for buildings?

**Mr. Robinson:**

This particular piece of legislation specifically relates to some proceedings in training of our personnel. We are dealing in the area of building inspection and this program was established by Penn State University with the cooperation of our Housing Department, to make sure that our building inspectors were current as far as present technology. Mr. Brophy indicated that the reason that we are handling it in this fashion is that the University felt it would be better for them than sending through individual requests for each person who was going through the program. This has nothing to do with the Urban Revitalization Program.

**Michelle Madoff:**

Has that been re-submitted, that Urban Revitalization? That is why I am confused.

**Mr. Robinson:**

It is my understanding that Mr. Mulvihill, Miss Smith, Mr. Schugar are aware that there is some question concerning the operation and it is my understanding that they are apprised that they might want to further investigate that.

**Michelle Madoff:**

So that has nothing to do with this bill, they are separate and apart. Okay.

Also,

Bill No. 474

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, which Resolution was previously amended by Resolution Numbers 251, 517, and 649 of 1979 entitled 'Providing for the filing of an Application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program', so as to correct several Capital Budget Project Numbers; and further, to decrease line item HD-79-17 'Development and Continuation of Pilot Programs' project number #4-15-02-0009-79-148-79-15 from \$250,00 to \$125,000; and further, to create a new line item HD-79-20 'Contingency Fund for Contractor Completion' project number #4-15-02-009-79-148-79-15 (\$125,000)."

Which was read.

Also,

Bill No. 475

A Resolution entitled, "Resolution further amending Resolution No. 472 of 1979, as

amended by Resolution No. 973 of 1979, by making certain budget line item changes."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 599 Report of the Committee on Supplies for March 26, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 513

A Resolution entitled, "Resolution providing for an agreement or agreements with a professional stenographic reporting service or services in connection with hearing of the Zoning Board of Adjustment, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 514

A Resolution entitled, "Resolution amending

Resolution No. 972, approved November 7, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of 17 police sedans, less trade-in, for the Department of Police, and for the payment thereof,' by increasing the amount from \$110,000.00 to \$119,522.24."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

No. 600 Report of the Committee on Water for March 26, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 464

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of the water main in conjunction with the Improvements to the Chestnut Street Intersection; and providing for the payment of the cost thereof."

Which was read.



**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

No. 601 Report of the Committee on Parks and Recreation for March 26, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 469**

A Resolution entitled, "Resolution providing for a contract or contracts for the operation of an Outdoor Rollerskating Program in Schenley and South Side Ice Rinks, and providing for the deposit of revenue derived from the operations in the Special Parks Programs Trust Fund" (SPPTF)."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 602 Report of the Committee on Public Safety for March 26, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 470**

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with People Watching Out for People Continuation Project (PWOP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the People Watching Out for People Continuation Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account; providing for an agreement or agreements with the East Liberty Chamber of Commerce to implement said Project and providing for the payment of the cost thereof."

Which was read.

**Mr. Givens:**

Mr. President, on Bill No. 470, I think we all read in the paper, I think it was on Sunday, it was so indicated that this program might be completely scratched, in fact it said about 90% of the funding for all these programs nationwide are going to be cut out. I think it is incumbent upon this Council, and I would so direct the City Clerk to send a letter to the Mayor's Office asking him to give Council an update on all programs that are going to be affected by the austerity in the federal government and the reasons for this, primarily is that some of these programs might be able to be taken up under the Community Development Block Grant money, and especially that of Council's Contingency Fund. Many of these programs, I'm sure, when we look at the priority of them versus some other things that we have on the books, as of the 1980 budget, we might want to give some assistance and some help so that we could have whatever information the Mayor might have, coming down through the various federal departments, it would be most enlightening to this Council.

**Mr. Stone:**

You are talking about those things that may happen Mr. Givens?

**Mr. Givens:**

Well, certain things of the \$16 Million budget have been so brought out in the media. Of course we know that it is going to take congressional action on much of this, but looking at that particular budget we have to look downstream as to how this is going to affect our lives here in the City of Pittsburgh and how we can cushion that impact.

**Mr. Stone:**

You are talking about the perspective federal budget cuts?

**Mr. Givens:**

Yes.

**Mr. Stone:**

Okay, they haven't happened yet, so that's okay.

**Mr. Givens:**

And I don't know if we need a weekly report on this, or monthly, it is going fairly rapidly and I think we should be aware. Not all of this is brought to our attention. A lot of it you have to read about in the newspapers, etc., the Congressional Records, but I am sure that the Mayor and his staff are people with a keen eye to this and whenever they find out that certain programs are going to be cut that this Council be made aware of it immediately, not that we find out about it after the fact and that some of these worthy programs are cut out. I think this Council must sit down in cognizance with the Mayor and decide which programs have priority and which are going to have to go by the wayside, if in fact the \$16 Million, or \$16 Billion cut is forthcoming.

**Mr. Robinson:**

Did you make reference to Council Bill No. 490 Mr. Givens?

**Mrs. Masloff:**

Council Bill No. 470.

**Mr. Robinson:**

Just one comment, if I might, Mr. President, I think we have to be careful of utilizing community development monies to offset any losses that we might suffer by way of other programs. The reason I caution Council on that, there are some specific guidelines relative to CD monies. One of the areas of concern has been whether or not CD monies should be used for what is known as soft service. It seems to be the intention of the federal government and those agencies regulating CD monies to try and direct more monies into hard services. Literally bricks and mortars types of projects. Some of the programs that Mr. Givens

is referring to would be considered soft services and I hope that we would not be giving the impression that it would be an easy task to take CD monies and literally fund soft service programs.

Also,

Bill No. 471

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Public Auditorium Authority of Pittsburgh and Allegheny County to provide police for events held at the Civic Arena; and providing for reimbursement to the City of the costs thereof."

Which was read.

Also,

Bill No. 472

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Public Auditorium Authority of Pittsburgh and Allegheny County to provide fire prevention staff for events held at the Civic Arena; and providing for reimbursement to the City of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 603 Report of the Committee on Lands and Buildings for March 26, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 450

A Resolution entitled, "Resolution providing for a contract or contracts in connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 451

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

As you know, the other day, on Wednesday, I had a slight dialogue for the 900th time with Director West. I have never had a consistent answer from him. He has told me and he has told Rege Valaw that the City owned properties are, as an educated guess, 20,000, 4,000 buildable lots, 800 homes could be rehabed. I have asked that we send him a letter and I believe the Clerk has indicated he has so done. I think it is important that we have that as a matter of record so that we can negotiate from that point.

We also have one other problem, that is that if somebody finds out about a piece of property by themselves or from the Treasurer's Sale and no one else is privy to this information, what happens is that it never goes to bid and that person just automatically gets it. We are going to have a meeting here, April 15th, which is a hearing and seminar on how to buy City properties. It is going to be very interesting to me and I hope we will have Mr. McAllister here, he has offered to give us time on the computer to find out why we couldn't take just the Treasurer's Sale, and automatically, once the legal time has elapsed, just put them right in the computer. To this date, nobody can get anything except the books that you sort of flip through and it is a total mess. I hope that everybody will show up at that meeting. About how many people have you sent that notice out to Mr. Perry?

**Mr. Perry:**

I don't know the exact number.

**Michelle Madoff:**

I know I've been getting calls on how to buy property and rather than dealing with it on an individual basis, that is why Mr. Flaherty and I set up that hearing. Have the real-estate agents been notified? The Associations of Real Estates? We should have a pretty good crowd. We'll have the letter back from Mr. West, won't we I hope?

**Mr. Perry:**

I hope so.

**Michelle Madoff:**

Send the marshalls to get it.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Givens:**

Mr. President, I would like to go back to Bill No. 479 which was the second bill that was introduced and the fact that there was a \$50,000 settlement for a woman who had fallen through, apparently, I think it was concrete steps or wooden steps if I might recall, back in 1976. I would like a report, I guess from the appropriate department, I don't know if that would be the Department of Public Works or not, as to how many steps the City of Pittsburgh has responsibility for and the maintenance of those various steps throughout the City, that they be — that some type of a number be given to them and are there ongoing inspections being done on these various steps. I think in some cases, you know, if the steps are made out of a fairly good structure like concrete or steel, that we kind of forget about them until such an incident like this happens and the \$50,000 could pay for a lot of mortar and concrete.

**Mrs. Masloff:**

Mr. Givens, I know lawyers who are making a living on people falling on steps and sidewalks and curbs, it is almost impossible to check every pair of steps, every curb and every sidewalk in the City. Because people are falling and they take a shot at suing the City and as I said, I

know some lawyers who make a living on steps alone and before anybody gets \$50,000, they have got a good case, they really have some serious damages as a result of falling on steps.

**Mr. Givens:**

Well the reason I bring out this particular one—

**The Chair:**

In other words, you don't want to take their source of revenue from them.

**Mr. Givens:**

...you know, I don't want somebody killed in this City before we have some type of inspection system on our steps. I am talking about steps that transverse to hillsides of the City of Pittsburgh which people must use in order to get from one level to another level and if these steps should be so marked and inspected periodically. I don't think that is asking too much of the department to do that. I have to agree with Mrs. Masloff on the sidewalks and the curbs of the City of Pittsburgh, it is very difficult to try to do that, but we are responsible in the City for maintaining our property as any individual citizen would and if this liability, if we want to call that insurance, has just cost us \$50,000 and I think in this particular case that step was reported missing; no barricades were put up and etc., and the woman, unknowingly, that the step was gone, and in the evening time or night time walked there and had fallen through and got seriously injured. I don't want to wait, as I have said, and find someone getting killed on one of these steps before we do something about it. We should have an ongoing inspection and I ask the Department of Public Works, I assume that is where this would come under, if they would please give this Council some type of listing of all the steps that the City is responsible for maintaining and some type of an inspection of these steps on a yearly basis, or whenever they are reported in.

**Michelle Madoff:**

Mr. President, I am sure that most members of Council observed an article in the media this weekend on litter. What one community is doing to clean up their litter. Unfortunately, my husband threw it out before I could save it and I am sure I can get another copy from the paper, but I think it might be a good time to re-activate the concern of all the members of this Council about the condition of our City. There are programs that are being done elsewhere and I would like to suggest that the President of Council convene a meeting of all of the major citizens groups such as the Squirrel Hill Coalition, the Shadyside Coalition, the South Side Coalition; whatever coalitions we can pull together and see whether we could come up with a workable program and a mandate that we give to the Mayor and say "do it". Because for some reason that I cannot understand, maybe somebody else can, I have spoken to the Mayor within the last month and he said to me, "Michelle before you say another word, I agree with you, I am going to do something this place is filthy". I wasn't joking when I told you in a letter that one of the engineers, who incidentally is leaving to go to Minnesota, so I guess he felt he could speak out; said that before he would use the men's room on the third floor he would need a tetanus shot. I had to swipe, I'm an honest crook, I admit it — a wastepaper basket from the fourth floor to bring to the fifth floor because we have more action here with hearings, to try and keep this floor clean.

One day last week I walked down the front lobby and there was litter, paper, wrappers, some kind of paper towels, newspapers ripped up, thrown through the whole lobby. Someone commented to the Mayor, I think it was Mr. O'Malley, that coming in the back door there was litter strewn. If we keep our building, the City-County Building as a pig sty, what can we expect from the rest of the City? Obviously there is not a program that is effective in the cleaning up — one can say, "oh the snow is melting", well we didn't have any snow. Now it

is a mergng of Spring and we are seeing the dirt. It really is a disgrace and as I say this article only appeared on Sunday, but I already have two letters on my desk, people writing to me because they know I have this concern saying, "in case you missed the article I want to tell you about it and what can we do to work together," and so I am asking, would you consider calling a meeting, having Mr. Perry contact the major groups who have shown a concern. I'll give him all my correspondence, I'm sure all the other members of Council have groups and let's see if we can come up with a plan and mandate the Mayor to do something about this problem.

**Mr. Givens:**

And ask them to bring their brooms "Jeep".

**Michelle Madoff:**

Yeah, who's putting the cigar butts out in the halls, "Jeep", it is not you is it? Who is leaving the cigar butt in the men's room on the newspaper as O'Malley is reporting.

**Mr. Givens:**

"Jeep" doesn't smoke anymore.

**The Chair:**

I don't eat candy either and I don't chew gum, so I'm innocent.

**Mr. Givens:**

If you see an old chewed up cigar out there we might get "Jeep", but if it is smoked we can't get him.

**Michelle Madoff:**

No, these are just the parts they bite off and throw on the floor, I hate to tell you what they look like, they look like truds.

**The Chair:**

Sophie likes candy.

**Mrs. Masloff:**

Yes, I like candy.

**The Chair:**

Sophie is a candy addict.

**Michelle Madoff:**

No, Sophie I don't think that is your style. Mr. President, what do you think of the idea?

**The Chair:**

If that's what you want we'll do that.

**Michelle Madoff:**

Do you want to vote on it?

**The Chair:**

This is about the fifth time we've had these groups in and they still haven't picked the litter up.

**Mr. Stone:**

You have to take that under advisement.

**Michelle Madoff:**

Well, I think that at some point somebody is going to have to take some meaningful action to do something I think it is a disgrace.

**The Chair:**

I'm going to plead the fifth, when I leave here I think I'm going to drink a fifth.

**Michelle Madoff:**

We have a Convention Center, who's going to want to come to a dirty city?

**Mr. Givens:**

As the Chairman of the Committee on

Supplies, Mr. President, I can inform you that all the sweepers are almost completely repaired over the winter months and that the whole fleet operation, plus the new ones that we have bought, should add a great validity to cleaning up the residential areas of the City of Pittsburgh — providing the people move their damn automobiles off the street when they are supposed to.

**The Chair:**

You're not talking about the 14th Ward are you?

**Michelle Madoff:**

Tow them if they are supposed to be moved, put the signs back up.

Mr. President, on another matter, we got your memo about the meeting that you want to convene to discuss the Port Authority and the taking of the Grant Street site which I think is very timely and very appropriate. I would ask, as I spoke to you privately that we expand that hearing. In the files, when I spoke to Mr. Lurcott, there appears to be some studies that were done that indicate why they were taking Ross Street and extending Ross Street and why they are taking the Interlude. Of course the Mayor did not think it was proper to brief all of us because then some of us don't keep secrets which are in the public interest. Since we are going to be briefed under your direction, from the Port Authority as to the main terminal, I think it might be a good time to have a complete briefing because time is fleeting. I understand that the people in the Plaza Building as I mentioned before, are waiting for the wrecking ball imminently, but it is something to think about, that some of the businesses in the Carlton House are not able to get out as quickly as they may have to get out, or be ordered to get out. They may not be getting out so fast, they may be there for another year, we may be voting under duress and I think we ought to know before we vote what we are voting on. Are we giving any land to the City? Do we want to give it? Is it fair and equitable? There are just a

lot of unanswered questions, particularly the one of taking down a hotel when we are building a Convention Center and need hotel rooms. Since you are going to do it anyway, could we do it as an all encompassing hearing as opposed to just one segment? Could we move the hearing to this room and have all of the areas covered, or do you want to do it in sections? Do you have a feeling on that?

**The Chair:**

It's allright with me, I have no objections.

**Michelle Madoff:**

Do you want to move it here and change the meeting date and bring it over here and invite Lurcott to bring his private studies that he has got buried in his files? And maybe we can invite some of the tenants from the Carlton House to come over and tell us what their situation is?

**The Chair:**

Well, I think we are on record before as saying —

**Mr. Stone:**

We can get the tenants in the Plaza Building.

**Michelle Madoff:**

Haven't you found a location?

**Mr. Stone:**

I bought a tent.

**Michelle Madoff:**

You're going to put it right under that purple statue, the one we don't hose down any more than once a year.

**The Chair:**

Well, to an extent, I think we can make

our feelings known when we vote in regards to vacation of streets. I personally am on record as saying they had better give those people enough time to relocate and those working down there time to find jobs. Saying May 31st is the deadline is ridiculous. I wouldn't vote for it and I hope other Councilmembers won't. U.S. Steel and Dravo are just going to have to bide their time and see that those people are taken care of before they move in there.

**Michelle Madoff:**

Because we are going to be hit with the same thing we were hit with on PPG, Mr. President, and that is for every month that goes by it costs a million dollars and we Council people are obstructionists. The fact that we weren't informed isn't the obstruction, it is us, we are the obstructionists because we weren't told anything, go vote anyway. And I take great exception to that and I would like to have a briefing as soon as possible. Now I had a call from the Mayor saying he was going to meet with me perhaps today to brief me. I don't want to be briefed alone. I don't want to be treated special like Mr. Robinson and Mr. Stone were treated. I think we should all be treated alike.

**Mr. Robinson:**

I'm a minority, minorities are always treated special.

**Michelle Madoff:**

Listen, I'm a minority.

**The Chair:**

How special?

**Michelle Madoff:**

I'm a discriminated majority.

**Mr. Givens:**

Mr. President, are there not briefings

set aside for PAT and U.S. Steel and that we are going to their particular area where they have all their charts and graphs and —

**Michelle Madoff:**

When?

**Mr. Givens:**

Well I think the meetings have been set up through the President of Council —

**Michelle Madoff:**

This is the one that you sent the memo out on? But that is only on the Port Authority. I want to know if the City is involved, I want the whole picture, not piecemeal.

**Mr. Givens:**

Well, that is Port Authority, U.S. Steel, Mike have you received a reply back?

**Mr. Perry:**

I didn't receive a response from U.S. Steel.

**Mr. Givens:**

Well that is almost two weeks now, why don't you send a letter out?

**Michelle Madoff:**

Let me be very clear. The President's memo only addressed one issue.

**Mr. Perry:**

They are due in on Wednesday on that.

**Mr. Givens:**

For post agenda or what?

**Mr. Perry:**

Post agenda.



**Michelle Madoff:**

Let me clarify this. The President's memo only addressed the Port Authority section, it did not address every other segment. I'm saying let's do it at once. Mr. President said he is agreeable to it. Can we move the meeting from their location at the Kossman Building, which is not my favorite place or person, and could we have everybody here?

**Mr. Robinson:**

Mr. President, if I might comment about the general areas I think Mrs. Madoff is touching upon — first let me say that my actions today to waive Rule 8 on the Station Square Project specifically addresses her concern that we have adequate information. I did discuss this issue this morning at the Legislative Conference with Mr. Lurcott. By cutting time in half, it gives us an opportunity, Mr. Lurcott, myself and Mrs. Fitzgivens to sit down and talk, but it also gives us an opportunity to set a speedy hearing at which time I think Council will find that they will get more information than perhaps we have gotten in the past. I would like the record to reflect that when we do have these hearings, particularly those that relate to legislation in the Committee on Planning, Housing and Development, I do plan to make sure that Council gets as much information as they can because I honestly believe that we do have a great responsibility in the rebuilding of this City and the daily operation of this City and I think we need to have more discussions in these Council Chambers among ourselves sharing information and fewer conversations in other facilities or even in the media.

**Michelle Madoff:**

The point is Mr. Robinson, that again, we as Councilmembers, and you know what happened with PPG, I think you and I were the biggest obstructionists, because we were not briefed, went down to St. Mary's Church and boy, we found out things were not peaches and cream and everybody was up in arms and we had no inkling of that.

What is happening is that we have a time frame — that is my concern, time frame. We are going to have a meeting and then someone will set another meeting and someone will set another meeting and they'll say, "hey, that wrecking ball is coming, you've got to decide now, we only have 10 days to decide". I want that briefing immediately.

**Mr. O'Malley:**

Mr. President I think Michelle is right. On this Grant Street Project we are going to find some far-reaching implications and I was informed today that as far back as 1977 that the City had plans to extend Ross Street. My one concern is that if in 1977 they wanted to extend Ross Street, why in the last two or three years has United States Steel been buying up property that now the City will have to turn around and purchase back from U.S. Steel. There are a lot of questions that will have to be answered on this one.

**The Chair:**

Very good point.

**Michelle Madoff:**

We have one final item of business today. I was out for a couple of days and I don't want anybody to feel I missed some time, that I wasn't working. For those members of Council who do not avail themselves, extensively, of the chauffeur service, although we do use it during the day, but I for example, stay here, I don't leave here most of the time before six, and I have meetings in the evening and a number of other people do that, who do not go home, we would like to request — I don't know how we do it without going through the Mayor, I would like to do it through Council, I don't know what the legal procedure is. But that we have four spots put aside, on the sides of the building, on the City County Building, the same as the chauffeurs park, the Mayor parks, there are a lot of spots that are being used for department heads, they are being used for elite members of government I don't think there is

anybody — I don't think I am more elite, but I don't think that they rank higher than we do as Council, so that in a pinch when it is pouring down rain or I am late, or I'm having a little malaise, is that what they call it, and I want to be able to park there, that I don't get six tickets in a week. I am willing to pay my tickets, I am probably — I don't know if there is any other member of Council who can whip out a receipt for parking tickets, I can show you mine. When I am guilty I pay them. I go to Traffic Court when I think I am right, and I cry, and I state my beef, however, it would be fitting and proper that four spaces be assigned for those members of Council who bring their cars who are here late. I don't like to walk when the stores are closed at night, by myself in the dark, over to the parking lot. I would like to be able to walk out of the side of the building.

**The Chair:**

Go home early.

**Michelle Madoff:**

Pardon me?

**The Chair:**

Go home early.

**Michelle Madoff:**

I didn't hear that, what was that?

**The Chair:**

Go home earlier and you won't have to worry about that.

**Michelle Madoff:**

I can't go home earlier, the people are crying for help.

**The Chair:**

Seriously, did they give you a ticket when you park over there?

**Michelle Madoff:**

Six . . . six.

**The Chair:**

Do they know it's your car?

**Michelle Madoff:**

I don't tell — how do they know it's my car? I don't put a sign "Madoff's car", they'd let the air out of my tires, you'd be there slashing them.

**The Chair:**

What did you say Bill, that's why they gave her the ticket?

**Mr. Givens:**

I don't think we need four spots Mr. President —

**Michelle Madoff:**

Four.

**The Chair:**

I can say without equivocation, I am the only Councilperson who never got a parking ticket.

**Michelle Madoff:**

You don't drive.

**The Chair:**

Okay.

**The Chair:**

You can't accuse me of fixing any tickets.

**Mr. Givens:**

Mr. President, I think the best place might be over on the Third Avenue side and so designated on a pole for Council

parking only. If we put it on the Fourth Avenue side, we are going to get in conflict with the regular City vehicles that are parked there, and it is very difficult —

**Michelle Madoff:**

We are City, remember us? We are City.

**Mr. Givens:**

Excuse me, but the Police officers do rotate there, they don't know what cars we are bringing in, we can bring in different family cars, unless we have some type of emblem that we can put on there, that I don't want to put on my vehicle.

I would suggest and highly recommend that Mr. Flaherty here, for Lands and Buildings, see the Director and get something put on the Third Avenue side for City Council parking, especially at night time, these meetings we attend here quite monthly here, it would be a nice area to block off for Council and I would recommend two positions there at least.

**Michelle Madoff:**

One comment, I have paid \$45 a month to park.

**Mr. Flaherty:**

How many spaces?

**Mr. O'Malley:**

Two, one for Michelle and one for me, if Dick wants one, we'll make it three.

**Mr. Robinson:**

I'll take one.

**Mr. O'Malley:**

That's four now.

Mr. Flaherty, I talked to Mr. Talarico on this and he instructed me that if the President of Council would send a letter

over, so asking for this to be designated as parking for Council, he doesn't think we will have any problems.

**Michelle Madoff:**

Incidentally, just as a matter of record, I pay \$45 a month to park, you are paying, what? Eighty?

**Mr. O'Malley:**

Eighty dollars a month.

**Michelle Madoff:**

The judges pay \$18. I don't mind paying my parking and I will use my parking space, except when it is very inconvenient.

**Mr. Givens:**

Well, we don't want to take revenues away from the City, that is why I recommend the two.

**Mr. O'Malley:**

One for me and one for Michelle.

**The Chair:**

Okay, I'll get together with Mr. Perry and we will get that letter over to the Mayor's office and I think it will be rectified.

**Michelle Madoff:**

I have an announcement, a very important announcement. I want to thank all my colleagues, particularly the President, and Lands and Buildings — finally, the men's room that has been only marked private, it will be open to the female members of Council as well as male members, and the staff will be able to use it, it has been beautifully decorated, they cleaned it up, it was a health hazard, the Board of Health was coming in to shut it down, the odor will no longer go into Mr. Stone's office, and to celebrate I will have a punch party with hors d'oeuvres or some pastries, we will

have it in my office with the two doors open  
and we will do that the first of the week.

**Mr. O'Malley:**

Punch and Judys.

**The Chair:**

Call it the Common Commode.

**Michelle Madoff:**

We'll call it Equality for All.

**Mr. Stone:**

Since this meeting has nothing more of  
merit to offer, I move to approve the min-  
utes of Monday, March 17, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, April 7, 1980

No. 14

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE** ..... President  
**MICHAEL PERRY** ..... City Clerk  
**WILLIAM F. McCRAY**... Ass't City Clerk

Pittsburgh, Pa.  
Monday, April 7, 1980

#### PRESENT:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Coyne presented**

No. 606 Resolution granting unto Charles and Helen Stephon at 2100 Sydney Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Fire

Escape over a portion of the sidewalk of Sydney Street in the 16th Ward of the City of Pittsburgh.

Also,

No. 607 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$2,268.00 for extra work in connection with reconstruction of Lincoln Avenue Bridge, Controller's Contract #24045.

Also,

No. 608 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$548.00 for repair of Talley Reader Head, to be payable from 4-01-0001-73 (B.F. 227-100).

Also,

No. 609 Communication from James Norman Walker, Director, Department of Environmental Services, requesting permission for Director Walker to attend International Waste Equipment and Technology Exposition, Atlanta, Georgia, April 28-May 2, 1980, at cost not to exceed \$1,100.00, payable from Solid Waste Trust Fund, Department of Environmental Services.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 610 Resolution repealing Res. No. 130, approved March 7, 1980, repealing Res.

No. 1001, approved Oct. 24, 1977, Res. No. 1001 reinstated for sale of property in the 28th Ward on Obey Street, designated as Block 40-D, Lots 114 and 115.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 611 Resolution providing for the issuance of a warrant in favor of B. F. Goodrich Tire Center in the amount of \$700.06 for emergency repair work furnished to the City of Pittsburgh without previous authority of law.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 612 Resolution providing for the issuance of warrants in favor of On-Line Systems Inc. for periodic payments for computer software for use by the Department of Personnel and Civil Service Commission in an aggregate amount not to exceed \$70,000.00 payable from CETA Trust Fund, Federal Funds.

Also,

No. 613 Resolution transferring the sum of \$8,000.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer, to Code Account No. 1130, Advertising for Impounded Car Sales, Department of Supplies.

Which were read and referred to the Committee on Finance.

Also,

No. 614 Resolution amending Res. No. 1078 of 1979, approved Dec. 5, 1979, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks), less trade-in, for the Fire Department and for the payment thereof," by increasing the amount from \$240,000.00 to \$480,000.00 and inserting a second Capital Project Fund.

Also,

No. 615 Resolution amending Res. No. 840 of 1979, approved Sept. 26, 1979, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of fifteen security screens for the Department of Parks and Recreation, and for the payment thereof," by deleting the quantity and increasing the amount from \$2,200.00 to \$3,364.00.

Also,

No. 616 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of wood tables for the Department of Personnel and Civil Service Commission, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

**Michelle Madoff** presented

No. 617 Resolution transferring \$30,000.00 from Code Account No. 1703, Utilities to Code Account No. 1709 Refunds and Interest, Water Rents.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley** presented

No. 618 An Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, Article 987, Regulations Applicable to all Districts, Chapter 987, Signs, by adding

**Section 987.07, Signs On Gasoline Stations For All Districts.**

Which was read and referred to the Committee on Public Safety.

Also,

No. 619 Petition from residents in the general area of the Mission Street Bridge requesting better police surveillance and safe passage on Mission Street and that the area be cleaned; also that the City refrain from using Mission Street for dumping debris.

Which were read and referred to the Committee on Public Safety.

Also,

No. 620 Petition from residents requesting a public hearing to discuss the dangerous lack of lighting and overgrowth of trees which provides a hiding place for muggers and therefore creating a dangerous situation on Mission Street.

Which was read and referred to the Committee on Public Works.

**Mr. Robinson presented**

No. 621 Resolution transferring \$10,000.00 from Code Account No. 1375 Salaries and Wages, Regular and Temporary Employees, Bureau of Building Inspection to Code Account No. 1370-1, Premium Pay because of the unusual number of employees in "Acting" Positions.

Also,

No. 622 Resolution transferring the sum of \$5,000.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation.

Which were read and referred to the Committee on Finance.

Also,

No. 623 Resolution providing for an

agreement or agreements with MetHousing North, Inc. for purchasing and maintaining properties in connection with the Residential Clubs project; and providing for the payment of the cost thereof.

Also,

No. 624 Resolution authorizing an agreement or agreements with the Pittsburgh Opportunities Industrialization Center, Inc. for a minority contractor bonding program at a cost not to exceed \$150,000 and providing for the cost thereof.

Also,

No. 625 Resolution providing for an agreement or agreements with the Business and Job Development Corporation for the improvements to 7800 Susquehanna Street and the Development of a Steel Can Recycling Center at a cost not to exceed \$75,000 and providing for the cost thereof.

Also,

No. 626 Resolution amending Res. 1005, approved Nov. 7, 1979, entitled, "A Resolution providing for an agreement or agreements with Greater Pittsburgh Business Development Corporation for services in connection with The Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000," by increasing the amount of the agreement and providing for the cost thereof.

Also,

No. 627 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Kevin Hurley, to attend National Council for Urban Economic Development annual conference, Washington, D.C., May 18-21, 1980, at cost not to exceed \$600.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 628 Communication from Edward

deLuca, Director, Department of City Development, requesting permission to attend National Council for Urban Economic Development annual conference, Washington, D.C., May 18-21, 1980, at cost not to exceed \$600.00, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 629 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts or use of existing contracts with the Ozanam Cultural Center to sponsor a benefit basketball game between the Ozanam Cultural Center and the Yugoslavian Junior Olympic Basketball Team and providing for the payment of the costs which shall not exceed \$5,000.00, chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Mr. Stone presented

No. 630 Resolution providing for the issuance of a \$799.00 warrant to State Farm Insurance Company and William D. and Deborah D. Miller in full settlement of claim for property damage; and providing for payment thereof.

Also,

No. 631 Resolution providing for the issuance of a \$1,276.68 warrant to Keystone Insurance Company and Ernest A. Mieri in full settlement of claim for vehicle damage; and providing for payment thereof.

Also,

No. 632 Resolution providing for the issuance of a \$963.32 warrant to Scott V.

Daly in full settlement of claim for damage; and providing for payment thereof.

Also,

No. 633 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also,

No. 634 Resolution providing for the issuance of a warrant to Mabel E. Davis, widow, care of Marc Rosenwasser, Esquire, 1509 Lawyers Building, Pittsburgh, PA 15219 in the amount of \$2,500.00 in full settlement of a claim for personal injury, and providing for the payment thereof.

Also,

No. 635 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of the U.S. Department of Labor in the aggregate amount of \$6,856.31 in payment of disallowed costs in closed out CETA sub-agent and federal grants.

Also,

No. 636 Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the U.S. Department of Labor in the amount of \$5,120.00 in payment of claim of the City from a closed out CETA Program.

Also,

No. 637 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Director Smith to attend Department of Labor Conference on Comprehensive Employment and Training Program, Philadelphia, April 8, 1980, at cost not to exceed \$200.00, payable from CETA Trust Fund, federal funds.



Also,

No. 638 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Gladys Russell to attend University of Pittsburgh Social Work Institute updating information on Title XX funding (EOPP participants supportive service needs), Pittsburgh, PA April 22-24, 1980, at cost not to exceed \$25.00, payable from CETA Trust Fund, EOPP, federal funds.

Also,

No. 639 Communication from Mayor Richard S. Caliguiri, Mayor's Office, requesting permission for George Whitmer to attend Governor's Tax Commission meeting, Harrisburg, PA April 17, 1980, at cost not to exceed \$200.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which were severally read and referred to the Committee on Finance.

**The Chair presented**

No. 640 Communication from Mayor Caliguiri appointing Mead Mulvihill to serve as Deputy Mayor for a period from April 6 to April 11, 1980.

Which was read, received and filed.

#### **REPORTS OF COMMITTEES**

**Mr. Stone presented**

No. 641 Report of the Committee on Finance for April 2, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 496

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

George H. Davis Equipment Company, in the amount of Fifty-Two Thousand (\$52,000.00) Dollars in payment for specialized repairs furnished for the benefit of the City in connection with Sewer Vactor, and providing for the payment thereof."

Which was read.

Also,

Bill No. 509

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of L. D. Astorino, in the amount of \$3,130.61, for extra work in connection with sub-surface studies at No. 22 Engine Company, Arlington Avenue, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 508

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation, in the amount of \$25,000.00, for extra work in connection with Hill District Branch of Carnegie Library, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 510

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of The Circul-Air Corporation, in the amount of \$7,026.05 in payment for purchase of a washer, dryer, and hose rack furnished for the benefit of the City in connection with No. 10 Engine Company, and providing for the payment thereof."

Which was read.

Also,

Bill No. 512

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Xerox Corporation in the aggregate amount of \$48,000.00, for periodic rental payments for the Xerox machine Model Number 9400 located in the City of Pittsburgh Print Shop."

Which was read.

Also,

Bill No. 520

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Davison Sand and Gravel Company, 3rd Avenue and 4th Street, New Kensington, PA 15068, in the amount of \$1,903.57 in payment for the purchase of ready mix concrete furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 521

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of May Pipe & Supply Inc., Box 366, Route 18, Atlasburg, PA 15004, in the amount of \$437.30 in payment for the purchase of repair clamps furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 532

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Alan L. Carb, Esquire, in the amount of \$400.00 in payment for professional services

rendered to the Council of the City of Pittsburgh, without previous authority of law."

Which was read.

Also,

Bill No. 533

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,218.00, in payment for rental of equipment furnished for the benefit of the City, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 546

A Resolution entitled, "Resolution temporarily transferring the sum of Five Hundred Twenty-Five Thousand Dollars (\$525,000.00) from Unrestricted Cash, Department of

Public Works, to Unrestricted Cash, Department of City Controller."

Which was read.

Also,

Bill No. 547

A Resolution entitled, "Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$75,000 for Project CR80-01 (4-80-01-0100-80), Design and Implementation of Financial Management Information System, Department of City Controller."

Which was read.

Also,

Bill No. 548

A Resolution entitled, "Resolution authorizing the Mayor and the City Controller to enter into a contract or contracts or use of existing contracts for the design, purchase and installation of a Financial Management Information System at a total cost not to exceed Five Hundred Twenty-Five Thousand Dollars (\$525,000.00) chargeable to and payable from Capital Project Account CR80-01 (4-80-01-0100-80), Department of City Controller."

Which was read.

Also,

Bill No. 549

A Resolution entitled, "Resolution amending a portion of Resolution No. 1002 approved November 9, 1979, entitled 'Amending a portion of Resolution No. 826 approved September 17, 1979 entitled, 'Providing for an Agreement or Agreements with Manchester Citizen Corporation, Pittsburgh Ballet Theatre, Elder-Ado, Inc., Pittsburgh Arts and Crafts Center for the implementation of the Comprehensive Employment and Training Act, Title IV subpart B of the Youth

Employment and Demonstration Projects Act (YCCIP) Youth Community Conservation Improvements Project and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 574

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., in the amount of \$2,965.00 for emergency repair work to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 575

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Penn Processing Company in the amount of \$16,175.28 for shipping charges for the emergency purchase of cinders without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 642 Report of the Committee on Public Works for April 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 497

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Green International for Consultant Services in connection with the Design of the Swindell Bridge (PW80-19); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 498

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pullman Swindell Division of Pullman, Incorporated, for Engineering Services in connec-

tion with Charles Anderson Bridge (PW 76-17); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 499

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants in connection with the Design of Traffic Improvements in Oakland (PW 80-04); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 500

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System (PW 78-16); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 501

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Mackin- Engineering Company for Consultant Services in connection with Design of the Spahr Street Pedestrian Bridge (79-16); and providing for the payment of the costs thereof"

Which was read.

Also,

Bill No. 502

A Resolution entitled, "Resolution providing for a contract or contracts for the installation and removal of Flashing School Signs

(PW 79-24); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 503

A Resolution entitled, "Resolution providing for a contract or contracts for improvements to the Chestnut Street Intersection, (PW 80-23), and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 504

A Resolution entitled, "Resolution providing for a Contract or Contracts for Street Improvements to implement the Lower North-side Traffic Plan (PW 80-21); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 505

A Resolution entitled, "Resolution providing for a Contract or Contracts for demolition and replacement of Radcliffe Street Bridge (PW 80-16) and related street improvements, including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, and providing for the payment of costs."

Which was read.

Also,

Bill No. 506

A Resolution entitled, "Resolution providing

for a Contract or Contracts for Demolition of Lowe Street (PW 80-13); and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 564

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 914, effective October 16, 1979, entitled 'A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', and increasing project allocation for (PW 78-13) Herron Avenue Bridge."

Which was read.

Also,

Bill No. 565

A Resolution entitled, "Resolution further amending Resolution No. 1249, effective November 3, 1978, as amended by Resolution No. 1522, effective December 31, 1978, as amended by Resolution No. 422, effective May 11, 1979, entitled, 'A Resolution providing for a Contract or Contracts for the Replacement of the Herron Avenue Bridge, PW 78-13; and providing for the payment of costs thereof', by increasing the authorized amount from \$2,158,229.80 to \$2,708,229.80."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson** presented

No. 643 Report of the Committee on Planning, Housing and Development for April 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 535

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 215-219 Fourth Avenue, Lot and Block 1-H-179 in the Market Square Historic District, 1st Ward."

Which was read.

Also,

Bill No. 536

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work on the exterior of 1243-1247 Monterey Street, Lot and Block 22-J-294, in the Mexican War Street Historic District, 22nd Ward."

Which was read.

Also,

Bill No. 537

A Resolution entitled, "Resolution providing

for the issuance of a Certificate of Appropriateness for work on the exterior of 1220 Monterey Street, Lot and Block 22-J-267, in the Mexican War Street Historic District, 22nd Ward."

Which was read.

Also,

Bill No. 539

A Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1980 Community Development Block Grant Program, and providing for the payment of the cost thereof."

Which was read.

**Mr. Robinson:**

Mr. President, I move to amend Bill No. 539 by changing the amounts as follows:

HD-80-16 (4-15-10-0007-80-16-80-15), Neighborhood Development Offices from \$330,000 to \$305,000 and the total from \$13,145,000 to \$13,120,000.

In effect, what we are doing is correcting the last figure which originally was listed as \$13,145,000.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

Bill No. 540

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Maria T. Johnson for the sale of Parcel 79 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 541

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Harold and Riva Freeman Gee for the sale of Parcel 97 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 542

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cecilia T. Champ for the sale of parcel 68B in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 644 Report of the Committee on

Supplies for April 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 515

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Meter Shop equipment (wackers, pumps, rock drills, etc.) for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 517

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of paving breakers and clay diggers for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 518

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a floor scrubbing machine for the Department of Lands and Buildings, and for the payment thereof."

Which was read.

Also,

Bill No. 519

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing, delivery and installation of custom made vertical blinds for the Southside Markethouse, Department of Parks and Recreation, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

No. 645 Report of the Committee on Water for April 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 522**

A Resolution entitled, "Resolution amending Resolution No. 417, approved April 21, 1978, entitled, 'Providing for a contract or contracts for the replacement of 4" water lines supplying fire hydrants and providing for the payment of the cost thereof,' by reducing the appropriation."

Which was read.

Also,

**Bill No. 523**

A Resolution entitled, "Resolution amending Resolution No. 300, approved March 27, 1978, entitled, 'Providing for a contract or contracts for the replacement of 4" water

lines serving fire hydrants and other work incidental thereto, and providing for the payment of the cost thereof,' by reducing the appropriation."

Which was read.

Also,

**Bill No. 524**

A Resolution entitled, "Resolution amending Resolution No. 1118, approved October 6, 1978, entitled, 'Providing for a contract or contracts for the replacement of 4" water lines on various streets and providing for the payment of the cost thereof,' by reducing the appropriation."

Which was read.

**Michelle Madoff:**

On Bill No. 524, I would like some information, perhaps Mr. Stone might help. I need some advice — between the time we met on Wednesday and moved for approval, well, actually, it was over the weekend, so there was really no time to do anything about it. I was approached by some people in the Water Department informing me that there is desperately needed, some engineering services. Not Assistant Engineers, not Draftsmen, not token engineers, but Engineer Engineers This morning at the Mayor's meeting I asked Mr. Cosentino if that were true and he said yes indeed, it was not put in last year's budget and of course he was not to make an evaluation. But it strikes me that under the law, aren't we allowed to use some money out of the Capital Budget? Because the person who approached me on the business of not having the engineers in the Department said that they were not able to do some projects and that the escalating cost of 10% a year would be far in excess of getting an engineer or two engineers into that Department. Now, what can we do, if anything, to rectify that problem.

**Mr. Stone:**

I'm not sure that all the engineers were scattered out like they were supposed to be.



Anyway, there are a lot of them in Public Works.

There was some talk of dividing up the engineering staff out of Public Works. Now, whether or not some of those engineers got into the Department of Water or not, I'm not sure. Their engineering would still be under Public Works.

**Michelle Madoff:**

Well, as I recall, they had moved the engineers out of Public Works who were going to go into Water, into Water. I would appreciate if you would review, perhaps with Mr. Cosentino, and with Public Works to see if there are some engineers, but my question is isn't it legal, in the Capital Budget, if an engineer works on Capital Projects, to pay him out of the Capital Budget?

**Mr. Stone:**

If it is a Capital Project, he ought to be paid out of Capital funds.

**Michelle Madoff:**

Right, and isn't it possible then, under the new system, that you have computerized, and the new accounting system, where we have unencumbered dollars that they can be used, that if the projects are already on the books, that we could then hire an engineer? Would that be in order?

**Mr. Stone:**

Well, you are dealing with apples and oranges now. If we are talking about an engineer on the Tax Operating Budget, that is a different thing.

**Michelle Madoff:**

No, I am talking about how about getting an engineer if it is Capital Projects, out of Capital Budget, as an alternative, because you can't open up the budget.

**Mr. Stone:**

I would see it as that alternative if it is a Capital Project.

**Michelle Madoff:**

Well, I presume most of our operating in Water would be Capital, wouldn't that be mostly our large projects?

**Mr. Stone:**

If they are Capital Budget projects, he would be able to get what he needs for that.

**Michelle Madoff:**

What is the next step, do I call a meeting of the Finance Chairman and Mr. Cosentino and myself to see where we go?

**Mr. Stone:**

If he shares the problem with me, I'll see what we can do.

**Michelle Madoff:**

His answer to me this morning was, "well, there just isn't any money and I'll wait until next year's budget." But I think, as you have pointed out many times, that the escalating costs, if they are going to really wipe out the savings, let's go ahead and move on it now. Somehow or other.

**Mr. Stone:**

I don't know what the problem is, you have indicated that he got some engineers, now he says he doesn't have enough or something, maybe.

**Michelle Madoff:**

My understanding is he has one engineer —

**Mr. Stone:**

I think it would be easier Michelle if

he expained the problem, that might be the easiest way.

**Michelle Madoff:**

Well, he was reticent to explain it. I asked him because I heard it elsewhere and I don't have to draw you any pictures. You know what comes out of the Administration, it's you are going to make do with what you have. But again, in line with your continual pointing out, and I couldn't agree more, and I think Council agrees with you, that the escalating costs make it foolish not to deal with the problem. Let's not pretend it isn't there. As you know, he is not aggressive in that area.

**Mr. Stone:**

Well, I am willing to listen to him and if I can help him, we will.

**Michelle Madoff:**

Okay, we'll have to set up a meeting.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

No. 646 Report of the Committee on

Parks and Recreation for April 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 526

A Resolution entitled, "Resolution providing for an Agreement or Agreements with The Commonwealth of Pennsylvania, Department of Environmental Resources (DER) for the City's Young Adult Conservation Corps Project.

Which was read.

Also,

Bill No. 527

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the SPECIAL SUMMER FOOD SERVICE PROGRAM PROJECT: providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

Also,

Bill No. 528

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the purchase of Food Vendor services and administrative costs for the Special Food Service Program for children from funds provided by the Commonwealth of Pennsylvania, Department of Education."

Which was read.

Also,

Bill No. 529

A Resolution entitled, "Resolution providing for an agreement or agreements with the County of Allegheny for use by the City of the right-of-way owned by the County under the Sixteenth Street Bridge for market place purposes."

Which was read.

Also,

Bill No. 530

A Resolution entitled, "Resolution providing for a lease with Union Realty for the use of the rear parking area of the Carrick Shopping Center for a Farmers Market in an amount not to exceed \$1.00, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 531

A Resolution entitled, "Resolution providing for a lease with the Buncher Company for the use of the Keystone State Flea Market parking area for an outdoor flea market in an amount not to exceed \$1.00, chargeable to and payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Mr. Givens presented

No. 647 Resolution expressing Council's support for Pennsylvania House Bill No. 2340 and urging the Pennsylvania House of Representatives to vote affirmatively on the bill.

WHEREAS, the Council of the City of Pittsburgh firmly supports programs that aim to alleviate the plight of unemployed and underemployed; and

WHEREAS, Pennsylvania House Bill No 2340, also known as the "Community Conservation and Employment Opportunities Incentive Grant Act," shall authorize the State Department of Community Affairs to provide for vocational education and training and to administer an incentive grant program which shall aim to reduce dependency upon the aid of welfare agencies, to reduce chronic unemployment and to reduce community deterioration.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh supports House Bill No 2340 and urges the Pennsylvania House of Representatives to vote affirmatively on this bill.

Which was read.

Mr. Givens moved for adoption.

Michelle Madoff seconded the motion.

**Mr. Robinson:**

I am a little bit confused about House Bill No. 2340. My confusion stems from the fact that I have not read it and have not seen it. This is the first time I have heard about it. This whole issue of welfare reform is a very delicate issue and one that is very important to many of the people who live in our City. It seems to me that we do not have enough information here to be urging the Legislature to do anything relative to a specific bill.

**Mr. Givens:**

Mr. President, I can only answer by saying that this bill was on the desks of all the Councilpeople by Friday at noon-time, and I have received no questions in my office. The bill I have here presently. I think it speaks for itself. The crunch is happening because of the Governor's action up there. It is going to impact especially our neighborhoods in the City of Pittsburgh, right here, and this bill here is to give some type of incentive, both to the local, state, federal government and local businesses, an incentive award to work together and try and employ these young youth that are deprived within our community. It is just showing interest on our part as to what is happening up there. The bill has been sponsored by many people. I am sure it will pass through the halls of the House of the State Representatives. I think they would like some words of encouragement, because the impact is to the Cities of Philadelphia and Pittsburgh more than any other areas.

**Mr. Robinson:**

Well, Mr. President, having talked to numerous people who are on public assistance, many of whom certainly want to work and need to work, I think that there is some real serious question about this particular piece of legislation. There is an old saying that the road to hell is paved with good intentions and I would hate to think that this Council would move prematurely, relative to some legislation that may have

a negative impact on people who already have enough burdens.

I for one am just hard pressed to understand this legislation, particularly coming after the Governor's rather dramatic statement and all the controversy surrounding it, that suddenly, members of the legislature come forward and in what appears to be a responsible fashion, with legislation to address this issue. I am just afraid that what they are attempting to do, they are going to get a negative reaction, that many people may be forced into employment opportunities without the proper mechanisms being in place.

**Michelle Madoff:**

I looked at the sponsors of the bill and they are friends of ours, meaning friends of this County and of this City and I am sure that we have some faith in K. Leroy Irvis and Joe Rhodes and a number of people, and if they are sponsoring the bill, which essentially says, we've got to have some release for unemployed youth, I don't see how we could not sponsor, certainly the concept.

**Mr. Robinson:**

Well, let me just respond very quickly. I don't think that our support or lack of support should be based on friendship. We are not talking about Mr. Irvis, we are not talking about Mr. Rhodes, neither of whom are on public assistance. And while I have the highest regard for them, I just think that we ought to be very careful of getting involved in those matters that are best left to the legislature. Matters that have been discussed in that particular hall. I think if we have some real concern for public assistance recipients and doing something for them in terms of finding employment opportunities, certainly we have some job programs in the City, CETA programs and others, we certainly have people in our City who say they are committed to this, and these Council Chambers are available for those of us who are concerned to meet with those individuals and try to work out some

mechanism to make sure that these individuals, if they are unfortunate enough to be removed from public assistance, can find some kind of employment opportunity.

**The Chair:**

Mr. Robinson, I share your concern. When the resolution was presented I was under the apprehension that perhaps there are two bills in Washington. I am familiar with the one where the government wants to make some radical changes in the welfare program which I really don't approve of, is that the only bill up there? Does it coincide with this one here, or are there two bills? In one we are talking about employment for people who are on relief or children of people on relief, the other we are talking about cutting out certain people period, I guess.

**Michelle Madoff:**

Mr. President, I think this is a response of the legislature to the action of the Governor to say, "Let's do something to help those less fortunate to be trained to earn a living", and I think all it is saying is we have to come up with some kind of incentives to help those people — alternative incentives. I mean, we have supported that down 100% here in Council, most of us, and I think we are just supporting and I don't think it is on the basis of friendship, I mean we elect people because we hope we have trust and faith in them and I think these are good people of honor and of intent. We can't review every single bill, I don't think we read every bill of our own. The volume is overwhelming. I think the intent is what we are supporting. If you want to change the language, Bill, to say that we support the intent, I have no qualm about that, but I think we have to — we can't just sit here. Even on the divorce bill and say, "we don't really care what is going on there". We support these things or we don't support them.

**Mr. Stone:**

Mr. President, if I may — the mover

of the bill, Mr. Givens, may I ask you a question?

**Mr. Givens:**

Yes.

**Mr. Stone:**

I have not read the bill and maybe the thought is that generally agreeing with the intent. I don't have any objection to that, but to agree to a bill does cause me a little bit of concern. Is there any emergency on this thing? Can we wait until next Monday on this?

**Mr. Givens:**

It is being discussed in the House this coming April 8th, Tuesday.

**Mr. Stone:**

That's tomorrow.

**Mr. Givens:**

If we are asking for affirmative action here, many times it comes before us, we don't coordinate some of the activities. What happens with our state legislators, and, as I have indicated previously, many occasions, many of the Council members have introduced resolutions in this Council to support things that are happening at the state level and vice versa. We had our legislators on occasion come into the City of Pittsburgh when it affected their particular legislative district. I think this is a very healthy thing that we are doing right here. Looking at all the sponsors of the bill, I don't think these people would put their names on the bill if they didn't know anything about it. It is to encourage employment.

**Mr. Stone:**

I don't find any fault with that, in fact, where we are saying affirmatively on this bill, I may agree with the intent, I may differ on the method, which is the only

problem I haven't seen it so I can't say whether I like it or not.

**Mr. Givens:**

This is the business effort that the state legislature has been able to come forward with in a quick period of time. There may be better and more lasting things, as Councilman Robinson indicated. I don't think it is the end of it. I think it is the beginning of it.

**Mr. Stone:**

Can I make a suggestion? Let me try one on you. Where you say, "Be it resolved that the Council of the City of Pittsburgh supports the intent of House Bill No. 2340", and then instead of saying, "Affirmatively on this bill", pick up the language you have in your fourth "Whereas": "urges the Pennsylvania House of Representatives to provide vocational education and training and to administer an incentive grant program which is aimed to reduce dependency upon the aid of welfare agencies." Do you have any objections to that? Now I can live with that —

**Michelle Madoff:**

That was what I suggested earlier, that we change it to intent as opposed to supporting the bill.

**Mr. Stone:**

I don't know enough about the bill and I would be kind of hesitant in voting for the bill. I have no objections to the intent. Do you see what I am doing Mr. Givens?

**Mr. Givens:**

The intent is fine, I am trying to get on record that we are supportive of the intent of the House of Representatives to go forward on this bill. It has to be discussed and debated on the floor. We are encouraging those sponsors of the bill to go forward with this.

**Michelle Madoff:**

Who will change it to intent? Will you do that Mr. Stone, and I'll second it?

**Mr. Stone:**

Allright then, moving the "resolved" to read that the Council of the City of Pittsburgh supports the intent of House Bill No. 2340 and urges the Pennsylvania House of Representatives to authorize the State Department of Community Affairs to provide for vocational education and training and to administer an incentive grant program which is aimed to reduce dependency upon the aid of welfare agencies and to reduce the chronic unemployment and community deterioration.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 7    Noes none

(ONE ABSTAINING, MR. ROBINSON)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley** presented

No. 648 WHEREAS, Chief Thomas J. Kennelly has been an employee in the Fire Department of the City of Pittsburgh

since May 11, 1937, serving for 43 years; and

WHEREAS, he, through diligence, worked his way up to Fire Chief; and

WHEREAS, he has served as Fire Chief for this City since February 5, 1971, serving nine years; and

WHEREAS, he is an inspiration for each and every City employee to give his or her all for the City.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh commends the long and great service of Chief Thomas J. Kennelly and wishes him a long and prosperous retirement.

Which was read.

Mr. O'Malley moved for approval.

Mr. Stone:

Mr. President, I would like to second that motion, and so that it doesn't look like I am speaking out of both sides of my mouth, let me just explain something. First and foremost, I did not vote approval of Mr. Kennelly at the last nomination for him. I believe my actions then were sincere, I think they were right and I think they were in the best interests of the City of Pittsburgh, but far be it from me to be one who as a citizen of the City of Pittsburgh and who has accepted some benefits in the past of the service and dedication of those people who would say that while you don't want them today, they never were any good and I don't want to subscribe to that kind of theory, I think that Mr. Kennelly in the past has been of service to the City and I think I join in it by making this second, thanking him for his dedication and service in the past, even though I do not move back for my motion at the last time.

The Chair:

I have to laugh when you say -- I

think it does sort of give us a conflict of interest to the extent where Council did refuse to approve or re-appoint Mr. Kennelly and we used just the opposite reasons that are given for his great service. I don't doubt that he has been a fine man and a good fireman, but we gave reasons why we didn't want him re-appointed and now actually we are passing a resolution refuting what we said before. As I say, I don't want to hurt any body out on retirement, but I can see someone out there saying, "Are those people crazy or something? It wasn't too long ago they were saying he wasn't fit to do these things, now..."—

Mr. Stone:

No, I don't see that as a contradiction, that is the reason I made the comments.

The Chair:

The last thing in the world I want to do is hurt a man who is retiring, Chief Kennelly or anybody else. I just wonder if Council can justify that action.

Mr. Stone:

Let me finish if I may, that is the very reason I am speaking to this. The question for us when we voted on re-nomination was, "Do you want this man to continue for the next four years?" And I voted no. But the converse is not true. I did not say, nor did I intend to say that anything in the past, his dedication as a fireman, or his past service as a Fire Chief, was I taking to task that. I just didn't feel that the future best interests of the City served in him continuing, but I did not in any way to blemish his past.

Michelle Madoff:

Mr. President, anyone who has given 43 years to this City, whether we have always been happy with, or not happy, I think deserves some kind of commendation.

Mr. Givens:

I would like to make one comment, the

fact that even though many of the members of Council did not approve Chief Kennelly's tour for another four years as the Fire Chief of the City, it was also indicated by those people that they did not wish him to go, that he was in fact, one of the best fire-fighters that the City had ever had, there was no discrimination put upon his dedication to service and his firefighting ability and acting as Chief. Where he was criticized mostly was in the Administrative side, in the size of the Fire Department and I think that should be weighed upon in this Council, but I think in the type of service that he rendered the City as far as his ability to perform, was one that I felt this resolution depicts very well.

Which motion prevailed.

**Mr. Robinson** presented

No. 649 WHEREAS, the Legislature of the Commonwealth of Pennsylvania has passed legislation, Senate Bill No. 305, 1977, to encourage the development of quality housing in the Commonwealth by way of incentives through tax abatements, for the rehabilitation of housing and construction of new housing in this State; and

WHEREAS, the City of Pittsburgh has recently passed legislation pursuant to Senate Bill No. 305 of 1977, and wishes to extend the fullest and most substantive incentives possible; and

WHEREAS, the current state legislation limits the amount of incentive through tax abatements; and

WHEREAS, the City of Pittsburgh has made available the maximum amount of abatements allowable under law and wishes to consider other incentives to include tax abatements.

NOW, THEREFORE

BE IT RESOLVED that the Council and the Mayor on behalf of the citizens of Pittsburgh do petition the legislature to increase the amount of incentive by way of

tax abatements to a figure that gives consideration to inflationary conditions and current economic situations.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I have a couple of quick items, you know that we had a flood in the Oakland area because a BFI truck, Browning-Ferris truck hit a main water line, which is a major line into the Oakland and Squirrel Hill area. A number of my friends who live in, would you believe, basement apartments — I think they are friends of other members of this Council, they were completely flooded out.

I understand that they have recourse to BFI in a lawsuit. I just wonder who is going to pay the damages to the City in the amount of repairs, manpower, womanpower, people who had to be there to work around the clock, the salaries that it costs us. I wonder if we could have a letter to the Law Department asking how we will be reimbursed in the City, because we have a tendency to say, "Well, the water was contaminated and maybe so and so did it and we flushed out all our lines, it only cost \$22,000" and we are out the money. We just can't afford those kind of losses.

I would like to know that BFI will reimburse the City for all costs, particularly the cost of the salaries for overtime and the cost of the lines, etcetra and I don't think that is unreasonable, do you Mr. President?

**Mrs. Masloff:**

I thought it was our fault.

**Michelle Madoff:**

No, it was BFI, I verified it, a blue truck, it is not ours.



**The Chair:**

We'll ask the Solicitor if the City is preparing any action.

**Mr. Stone:**

I don't know that we need a legal opinion, they are liable for all damage caused by their act.

**Michelle Madoff:**

But I want to be sure that we go after the damage, we sometimes do not.

**Mr. Stone:**

Yes, but I thought you started off asking for a legal opinion.

**Michelle Madoff:**

No, I did not ask for a legal opinion, I want a lawyer — excuse me, I want to make sure that we are going to pursue whatever legal recourse we have for the water line that was damaged, the water main that was damaged, the service people that we had correcting the problem, whatever damage to the streets that we are responsible for, are we going to go back and sue BFI. I was told that the individual homeowner could go back and sue them, but is the City also going to do that?

**Mr. Stone:**

Well, the only thing I can tell you and I think it answers your question, but getting someone to do it is another one. If someone is negligent, they are negligent for all the acts caused as a result of their particular violation. If BFI, from what I am reading in a newspaper account, is accurate, somebody was negligent. Being negligent, they are liable for all the consequential damage. Now, if the City of Pittsburgh has suffered some damage from it, it seems to me that is consequential damage.

**Michelle Madoff:**

But what happens, Mr. Stone, is —

**The Chair:**

This just happened over the weekend, didn't it?

**Michelle Madoff:**

But they have a tendency to say, "Well, it was only our manpower, it was only people out working, and we only fixed the street and we don't go after those kind of claims", and I want a specific answer, I want to question, are we going after that damage?

**The Chair:**

Are you speaking of the Water Department and Public Works?

**Mr. Stone:**

They should keep an accurate record, when someone else causes us problems and we should recover.

**Michelle Madoff:**

Could we find out then, are they going to pursue any damages which cost us salaries, overtime, any damage that was incurred by the City. That is one item.

**The Chair:**

Mike, take that up with the Director.

**Michelle Madoff:**

Second item. Do you recall that we had a legal opinion with reference to my concern about telegraphing in bids, under law, not to exceed, you know, we put in the upper left hand corner, not to exceed \$70,000 or \$20,000 — well let's use \$70,000 as the figure — where nobody comes in with a \$20,000 bid, everybody says \$68,000, or \$69,000, or \$67,000, and there is room to encourage collusion because if the job could be done for \$9,000 and we are in the \$60,000's, somebody says, "You take it Mac, I'll get it next time".

I subsequently talked to a private attorney, who will not bill Council, who is a very reputable attorney, and he tells me the way to handle it is to go out for bid, without having the line at the top which say's "not exceed", and if indeed, everybody goes over the bid, then we have the option to reject all bids. We don't have to have a reason for rejecting all bids. That would be one way of handling the problem.

**Mr. Stone:**

Who's going to hold the inflation down while we go through that second bit of gymnastics.

**Michelle Madoff:**

They can do that in four or five days, they do it all the time, they can be done quickly.

**Mr. Stone:**

Every bid has to be advertised.

**Michelle Madoff:**

What is it two weeks?

**Mr. Stone:**

That is a loss period.

**Michelle Madoff:**

When we are talking about \$19,000 to \$66,000, we are talking about \$40,000. Who is going to solve that problem?

**Mr. Stone:**

Well, that is an internal problem. If our internal people are putting a price on it, which is double the amount of the work, there is something we need to look at in ourselves, not at the other people.

**Michelle Madoff:**

We had an answer, the answer was, as I recall, that we could go out on lump

bids, which you had a great antithesis to on that position.

**Mr. Stone:**

Yes, I still have those reservations.

**Michelle Madoff:**

Allright, so that is one option, if we can't do that, I am looking for another answer and the only other answer that I see that is viable, and I think we ought to at least try it because, in my exploration and research on the Crown Wrecking problem, one of the things I found is that if we give our bids out for demolition in the summertime to people who are in the salvage business who do demolition, they will do it for a far lower fee, they will do it for one quarter of the cost because they sell the salvage. I think this is something that we ought to take into consideration — how can we save the City money?

I just can't see telegraphing — come out and take us. And that is what we are doing. We are saying we are willing to pay \$70,000, therefore they come in as close to \$70,000 as possible.

**Mr. Stone:**

No, I don't read it that way.

**Michelle Madoff:**

Well, I do.

**Mr. Stone:**

The way I am reading it is that we are saying that the maximum figure is \$70,000 and anyone else has to bid to get lower than that so that we get the advantage. When we start straightening up the rest of our act, I think we will start getting bids that come more in line. You can't make a man wait six to nine months for his money and expect that he is going to give you a good bid. Therein lies the problem. If we have people internally who can't make that ballpark figure, that is our fault. But

I think we need a little more tightening up on that.

**Michelle Madoff:**

Why would you be opposed Mr. Stone, to removing that figure, that telegraphs what they can bid? Why would you oppose that?

**Mr. Stone:**

Very simple. Because I am concerned that these citizens of the City of Pittsburgh ought to get some protection for their tax dollars and I don't think we should let it out where those people dealing in collusion can come back and give us a price higher than our internal people.

**Michelle Madoff:**

I know but if the people are dealing in collusion and it says \$70,000 and somebody will do it for \$20,000, as Omslear would, or \$19,800, and you've got people bidding \$66,000, \$68,000 and \$69,999, we are talking about \$40,000 more money.

**Mr. Stone:**

I have seen a million people who are willing to do something after the fact for less than they would have bid if they got the job.

**Michelle Madoff:**

Sir, may I correct you on that, this was before the fact. He had bid on that contract at \$19,800.

**Mr. Stone:**

But he never signed the contract.

**Michelle Madoff:**

Do you know why he didn't sign the contract? Do you remember? Because we weren't ready to give it to him in the summertime and he is in the salvage business —

**Mr. Stone:**

I know everybody gets into a mumbo-jumbo after the fact, but I think that there is a procedure that ties everybody together. Until you get your name on a dotted line, that means you didn't want to do it.

**Michelle Madoff:**

But the man had his name on the dotted line.

**Mr. Stone:**

If he was a low bidder and he had his name on the dotted line, then we should have taken him as the lowest bidder.

**Michelle Madoff:**

Yes, unfortunately though, we didn't vacate the premises in time for him to do the job. We hung him up, he didn't hang us up.

**Mr. Stone:**

Well that is my point, its always some other variable that changes it. That is why I say you have to get all the facts before you start trying to get —

**Michelle Madoff:**

I think it is irresponsible of this Council to be afraid to say we will not put in, "not to exceed" and just go ahead and do it and then if the bids are over, I don't think they will be, to just desolve all bids — we do it all the time. They did it on the Crown Wrecking in that chronology, there was a bid where Brown came is as the low bidder and because of a time frame on another job and they were scared of a time frame, they desolved all bids. That wasn't even reported to us.

**Mr. Stone:**

I think we always have to watch that you don't go from the specific to the general, but rather the general to the specific.

**The Chair:**

Isn't it to the City's advantage to have a maximum?

**Michelle Madoff:**

I don't believe it is Mr. President.

**The Chair:**

If I throw out a maximum of \$66,000 and I think I can do the job for \$18,000 and the City is going to give it to me, it is to the City's benefit. Why would the City want to see a bid over \$18,000. They are setting a maximum. That doesn't say the guy has to bid \$65,000 because the max is \$66,000. He can bid \$25,000, then he is the low bidder and he gets the job. The City is not hurt.

**Michelle Madoff:**

Mr. President, just in case you don't know this Sir, there are people who have the bids delivered to them. Not everybody gets them delivered and it is a matter of who happens to see it in the legal notice. I mean we have to straighten that department out.

**The Chair:**

Well, that is another matter then.

**Michelle Madoff:**

That is Mr. Flaherty's department, I know he will straighten them out.

I have one last item unless you want to pursue that subject.

**The Chair:**

You said you had two items, now we are on three.

**Mr. Stone:**

I think in the best interests of the City

of Pittsburgh we ought to leave it right where it is and we'll have better control.

**Michelle Madoff:**

Okay, Mr. President, there is a gentleman in town who has a firm by the name of Hendleberg and Venable. I don't know if he has ever been in touch with other members of Council, but he sent a letter to me — I have known him for years, he has been a resource person to me in the environment —

**Mr. Stone:**

What is his name?

**Michelle Madoff:**

His name is Emerson Venable.

**Mr. Stone:**

I know him.

**Michelle Madoff:**

Okay, he sent a letter on a problem that I think is worth pursuing. This went to the Mayor and the Commissioners of Allegheny, but not to the City:

"The recently reported elimination of unnecessary transport of hazardous materials within the City of Boston, reminded me that we have similar but more acute problems here in Pittsburgh and in metropolitan Allegheny County.

Boston has a reel-circle belt system around the City. Our problems are much more difficult because of the steep grades and the bottleneck restrictions, particularly at the bottom of our feeder valleys where they enter the parkway system."

and I presume he is referring to some of the accidents we have had with major big trucks.

"We have been most fortunate that the truck runaway accidents of recent dates

have not involved large fuel or chemical spills. As you know, Boston evacuated much of its area because of a toxic spill."

and he gives us, very quickly:

"Boston enacts routing restriction on chemical transportation which says: The law bans transport of such materials as liquified natural gas, radioactive explosives, poisonous gases and flammable liquids in the City unless the shipment is being picked up or delivered in Boston. Hazardous chemical shipments in the City will be made between 8:00 p.m. and 6:00 a.m. unless an exception is permitted. The Fire Department will make necessary regulations."

and it closes with:

"Cleaning up hazardous materials, transportation spills, is a \$20 Million a year business."

It is something to think about after the last Boston episode, and we have had a number of rail spills, you know, cars that have turned over. What would we do if a toxic tank spilled in the downtown area, and should we not be thinking, in the new Fire Code, of some new regulations?

**The Chair:**

I thought the last time they evacuated Boston was during the Revolutionary War?

**Michelle Madoff:**

I thought it was the Boston Tea Party. Don't you think it is something we ought to be thinking about?

**The Chair:**

Where do you get these toys and nobody else does?

**Michelle Madoff:**

Because I work very hard at protecting the citizens.

**Mr. Robinson:**

Mr. President, I might suggest to Mrs. Madoff, she might want to contact the County. There is an emergency preparedness program that the County is responsible for. They have been working, as I understand it, very diligently, to address some of those concerns. I would assume they have some responsibility for the City and it is my understanding that several people from the City are a part of that organization.

**Michelle Madoff:**

Do we know who is on in the City?

**Mr. Robinson:**

The Mayor's office is handling that.

**Michelle Madoff:**

Why don't we turn this over to the Fire Department, to Charlie Lewis and let him —

**Mr. Givens:**

Mr. President, if I might, when I was the Chairman of the Committee on Public Safety, and I think Jim O'Malley might look into this, I sat on that particular County Committee, on Disaster Preparedness, of which we drew up a plan and everything else for emergency evacuation, it is tied in with the County, the Superintendent of Police, or his representative, Chief Kennelly, and other members of the Mayor's staff would sit on that particular committee and once the plan was completed it is an Administrative chore, but one I think this Council has interest in. As Michelle pointed out we are interested in the people here.

I was deeply concerned, as a member of that particular group, in the logistics of how to evacuate people. We are building a Convention Center and we have a railway that goes right adjacent to it, in fact two stories up in the air, on a bend, and we have major buildings of U.S. Steel, the

Grant Building and others, the Gulf Building, that are there that in some cases suck their free air in from the ground level and others will suck it in for their cooling and air conditioning from the upper levels. Depending what type of a toxic fuel is spilled, be it a heavy gas or a light gas, it will either go down below or up above.

**The Chair:**

Excuse me, that is all well and good, as Mr. Robinson said, the County apparently does have some evacuation plan, I mean we can go into everything that has ever happened —

**Mr. Givens:**

There was a study to go into it and what happens you get tied into about five different federal organizations and this is the thing that makes it very difficult to pin down to come up with say, PennDot, with regulations of not only the City of Pittsburgh, but all of the State of Pennsylvania, when you travel with hazardous materials.

Number one, if the vehicles just be marked. I went into quite depth with this, if Jim would like to get together with me, I can brief him on it, but for example, a Teamster can pick up a load of cargo and not really know what he is picking up, especially if he is making several stops en route. He might have a couple of cannisters of very toxic materials if in fact —

**Mr. Stone:**

What does it say on the Bill of Lading?

**The Chair:**

Handle with care.

**Mr. Givens:**

That is the main point it was indicated that all truck drivers do not know what they are actually carrying. All truck drivers, educationally wise we have found out, were not briefed or educated as to if they were

carrying these types of materials, what their responsibility was and what routes they were supposed to follow in a particular city.

We can send this information out. Triple A has helped us out in many occasions, hopefully, that people who do a lot of traveling on the roads will read that periodical. But it is something that stills needs a lot of work — I feel — and you write all the ordinances in the City of Pittsburgh if you want to to prohibit this material from coming in, but you must post it on every road coming into the City and you know the City of Pittsburgh has so many roads coming into it that the normal truck driver will use, it is almost an impossible task but it is one that must be looked into and continued to look into especially into the evacuation of our major downtown metropolitan area, if such a major incident would happen. We have been blessed it has happened on Liberty Avenue, it has happened out in the West End, but it has not happened in downtown Pittsburgh.

**The Chair:**

Dick, doesn't the government agency that regulates safety, I believe it is OSHA, don't they regulate all industrial plants, and that would also involve loads that leave industrial plants?

**Mr. Stone:**

Mr. President if I may, the easiest way would be just to refer this either to Public Safety or the County. You have two sources that we know now and see if they have anything to offer us on it. Like referring it to the Department.

**Michelle Madoff:**

What I am saying, so it will be very clear is that I don't want these toxic chemicals going through our main streets which are heavily urbanized, with heavy residential areas, if we possibly can avoid it. I don't think there is any problem with flammable or toxic chemicals and I will give it, if it is all right with everybody, to Charlie

Lewis and let him deal with it because he is head of the Fire Department.

**Mr. Stone:**

Mr. President, I have one point I would like to make, Mike, I don't know what your schedule looks like two weeks from today, on Wednesday, but I would like a letter to go to Louise Brown, Parks and Recreation, relative to that Frick Park Nature Center. Within one week, I would like to have a full report on that center and then be prepared to talk about it the following — that will be two weeks from this coming Wednesday.

**Mr. Perry:**

Yes.

**Mr. Stone:**

Because I spoke to an individual who did that job and I am not so sure if he is right or wrong, but I do know one thing, at this point he has indicated how he has been treated on that particular job and he will never do another City job. Now, I would like to find out by hearing both sides before I take any side on this issue. I would like to at least find out. So, I would like a written report within one week, and then to come here two weeks from this coming Wednesday.

**Mr. Givens:**

Mr. President, I think we are all in receipt of a legal opinion from Mead Mulvihill in regards to Council's Bill No. 534, Crown Wrecking Company and I was very disturbed in the fact that — Eddie Albert is not here right now, but in fact, with his report to Council on April 2, he still did not receive proper documentation from Director Brophy on the breakdown from the Contractor, by the time of his writing of his report to us. That kind of disturbs me just a little bit. I don't know if Eddie has received —

**Mr. Stone:**

Let me cover that if I may. I spoke to Mr. Brophy this morning about that very issue and indicated to him that he should meet with Mr. Albert. I spoke to Mr. Albert roughly an hour ago and indicated to him that he should meet with Brophy and the two of them find out where they are absolutely sure they cannot agree and we will find out where this thing sits. We indicated to this body before that we would pay no bills that we are not liable to pay and where they differ and can't get together, then we will have to draw the line and make some decision, but, while we are on this subject, I indicated to Eddie Albert, that it doesn't make sense for he or any member of our staff to be coming to this table without first letting Councilmembers know what is going on. Any report that is coming up, it would have been better to have postponed it from last Wednesday to this coming Wednesday, so we have a report in our hands and know what the issue is before we are asked to make some decision. Let that be a rule, Mike for any staff individual. Before they come to this table, they let Council, particularly the person who is Chairman of that particular committee, so we know what is going on.

**Mr. Givens:**

Well we had Eddie Albert before us Bob, on Wednesday, you weren't here and although the written report —

**Mr. Stone:**

Yes, but you didn't have the written report before Wednesday, right?

**Mr. Givens:**

No, but we had a bill before us and we had to act on that bill and Eddie's verbal report to us indicated that he had grave differences of the billing for that particular bill, so as a result —

**Mr. Stone:**

But I don't think you can fight with

my statement, I hope? That we ought to know what is going on before the thing comes out.

**Michelle Madoff:**

No one is disagreeing with you and I am not defending Eddie, but in the real world, what happened was that McGrady and Ray Johnson had the bills and they had gone over the bills and they were waiting for Eddie's report to compare the two and he was in a hurry to get the thing done and it was at my request because I wanted to know whether I was on solid ground or not and whether he shared my concern. He gave it to me and if anybody is at fault, I guess I am at fault.

**Mr. Stone:**

No, I don't think anybody is at fault, I am not concerned about the past, I am only concerned about the future. Any staff individual should report to the Council people involved so they know in advance. This thing is here, nobody is trying to get around the issue it is something that has involved now, considerable man hours, already trying to resolve it. We now have it where there are two sources of strong feelings and I indicated to both of them, if it is some gray area that is one thing. We will find out whether it could be just a calculation kind of difference, but if it is something they can't meet, we will have to resolve somehow that difference or not pay it. But at any rate, I think we have to get to that and that is what I have asked him to do as of today, Dick.

**Mr. Givens:**

Mr. President, I wasn't finished yet, on the second item, we had a post agenda on the 26th of March dealing in with the Stadium Authority. I requested some information back from them in regards to, number one, their Capital Improvement Plan, if they are going to try to put one into effect, which they do not have right now.

Secondly, I think the Finance Chair-

man, Mr. Stone, so indicated that he wanted a report from them. I have never received a copy of that report.

**Mr. Stone:**

Have you gotten any Mike? I haven't received one.

**Mr. Robinson:**

I have.

**Mr. Givens:**

You have not received one either Mike? Could you make an inquiry on that as to—I'm sure it has only been coming up on two weeks but it would be nice of them to give us some information on that.

**The Chair:**

Mr. Robinson has received it, why don't we make copies of his report and distribute them.

**Mr. Stone:**

On that last issue, Mr. Givens, Mike, this meeting that we are to have on Wednesday is going to have a report from the Stadium Authority, it is also to have that report from Galbreath wherein he has a figure of \$2 Million. We want, obviously, an itemization from Three Rivers so we see which one is accurate and which one is not. They were to supply us, I think, with the consultant's report. Do you have that one Bill?

**Mr. Robinson:**

I just have one report.

**Mr. Stone:**

So Mike, make sure we have that as soon as possible.

**Michelle Madoff:**

Mr. President, when is the date for the



briefing on U.S. Steel/Dravo? You had set that up. When will that be, the total briefing? Have you changed the date?

**The Chair:**

The week of the 21st.

**Michelle Madoff:**

You have changed the date then. It will be here — right here?

**The Chair:**

Yes.

**Mr. Givens:**

Mr. President, there was one more bill that we had, I think, tabled, Councilman Robinson and his Committee, in regards to the St. Clair Athletic Association. Does anyone have any enlightenment on what has happened up there? Rege went up I think?

**Mr. Stone:**

Dick, I was trying to resolve that but Jake Levake was in the hospital and that is where the problem was. Jake Levake is with the St. Clair group, he was in the hospital and then this last week I was up in Chicago with the National Association of Regional Concils. That is where that one is. They are trying to blend it between the two groups and I think it is blendable, so to speak.

That group gets along too well, I would hate to see a difference there.

**The Chair:**

Yes, they brought that out at the hearing.

**Mr. Givens:**

Yes, in talking to Rege, he sort of indicated that the thing was eligible, but you know, they have to go into the fine points.

**The Chair:**

Well, why don't you get him up here Wednesday.

**Mr. Givens:**

The point that I want is not to delay the issue much longer than what we already have.

**Mr. Stone:**

That is a good point.

**The Chair:**

Mike, have Mr. Young up here on Wednesday.

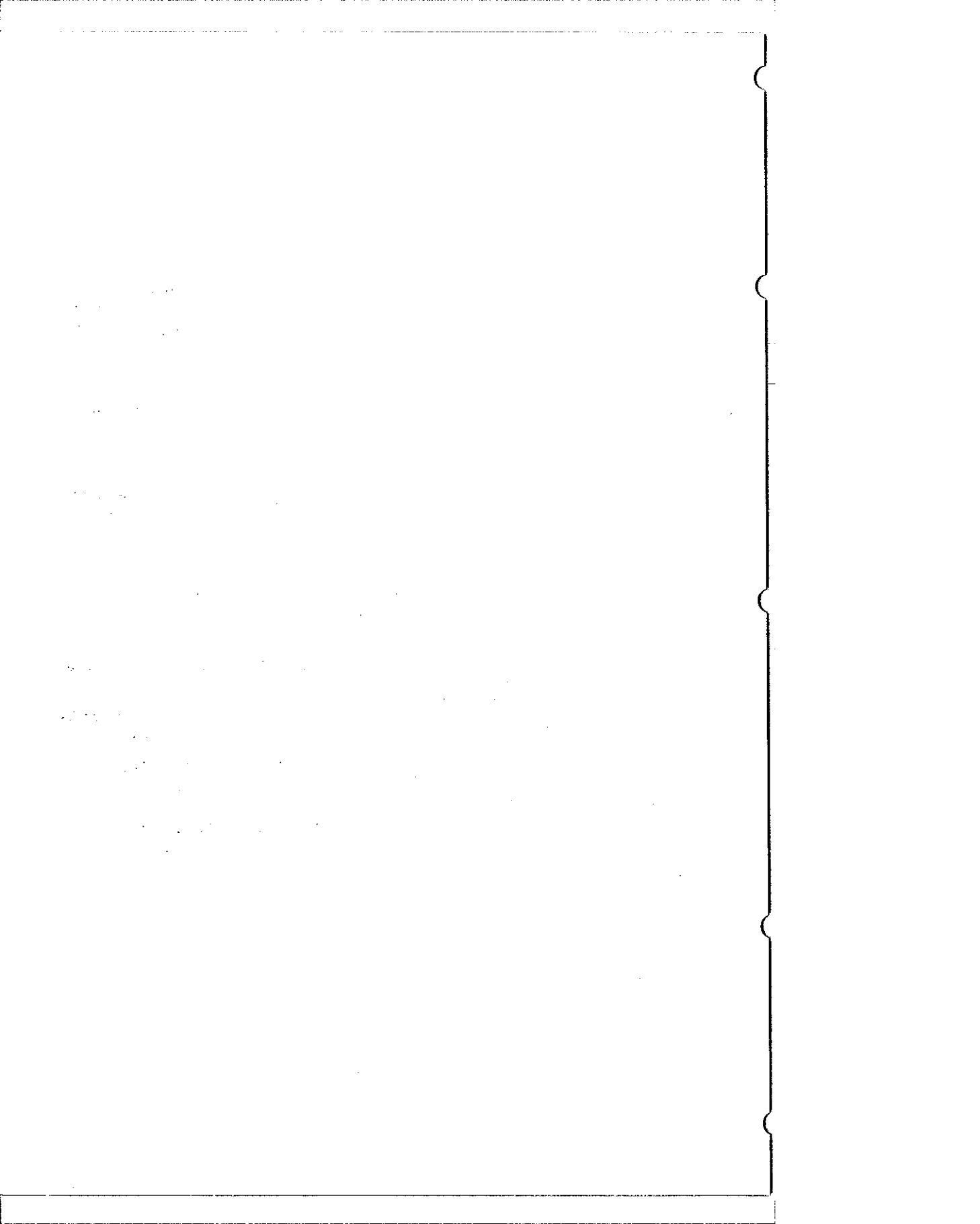
**Michelle Madoff** moved to approve the minutes of Monday, March 24, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, April 14, 1980

No. 15

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . Ass't City Clerk

Pittsburgh, Pa.  
Monday, April 14, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 650 Resolution providing for the issuance of a warrant in favor of Landau Building Co. in the amount of \$12,218.00 in payment for extra work performed for the benefit of the City in connection with

the relocation of No. 8 Police Station, West End; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 651 Resolution repealing Res. No. 389, app. 10/16/74 which authorized the sale of property in the 13th Ward on Mt. Vernon St., designated as Block 174-C, Lots 13, 14 to Myron and Christine Cook, for the sum of \$600.00. Hand money in the amount of \$100.00 to be forfeited.

Also,

No. 652 Resolution repealing Res. No. 422, app. 5/16/77 which authorized the sale of property in the 25th Ward on Compromise St., designated as Block 23-D, Lot 238 to Vivian and James Christopher for the sum of \$150.00. Hand money in the amount of \$100.00 to be forfeited.

Also,

No. 653 Resolution repealing Res. No. 57, app. 2/25/75, which authorized the sale of property in the 27th Ward on Geyer Avenue, designated as Block 75-S, Lot 370, to Donald and Ruth Chester for the sum of \$1,550.00. Hand money in the amount of \$155.00 to be forfeited.

Also,

No. 654 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired

at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 655 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of rifles and shotguns, less trade-ins, for the Pittsburgh Police Department, at no cost to the City of Pittsburgh.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 656 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a litter vacuum for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 657 Resolution amending Res. No. 844, approved September 26, 1979, as amended by Res. No. 44, approved February 15, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of a litter vacuum press for the Painting Division of the Department of Public Works, and for the payment thereof' by increasing the amount from \$5,950.00 to \$6,530.00.

Which were read and referred to the Committee on Supplies.

**Michelle Madoff presented**

No. 658 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, Airport Road, Morristown, New Jersey 07960 in the amount of \$20,000.00 in payment for the installation of four (4) filler pipes furnished for the benefit of the City in connection with City Controller's Contract No. 23172-F "Valve Replacement in Various Locations" and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 659 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Stanley States to attend American Waterworks Assoc. Taste and Odor Control Seminar, Erie, PA, May 27-28, 1980, at cost not to exceed \$300.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 660 Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$36,598.23 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 661 Resolution amending Ordinance 127 of 1971 providing for Cooperation Agreement with Urban Redevelopment of Pittsburgh for redevelopment of Area 35, 26th and 27th Wards by designating URA as agent for construction of proposed recreation complex in Area 35 and providing

for payment by City of construction costs not to exceed \$612,000.00, payable as follows: \$100,000.00 from Project PR 79-12; \$512,000.00 from Project PR 80-05, Department of Parks and Recreation.

Also,

No. 662 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Leonard Duncan to meet with Boston Marathon Officials and Honeywell consultants regarding the operation of Boston Marathon, Boston, Massachusetts, April 19-21, 1980 at cost not to exceed \$275.00, payable from Special Parks Program Trust Fund, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley** presented

No. 663 Resolution providing for an agreement or agreements with Nathan S. Levenson/AIA-Architect for architectural services in connection with relocation of the Identification Section No. 1 Police Station, Public Safety Building; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Safety.

Also,

No. 664 Petition from the residents of the Hays area requesting a hearing before City Council to get badly needed City services for their area.

Which was read and referred to the Committee on Public Works.

**Mr. Robinson** presented

No. 665 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eastman Associates for the sale of Block 22R, Lots 129, 212, 148, 149, 150 and 153 and Block 22L, Lot

211 in the 21st Ward of the City of Pittsburgh.

Also,

No. 666 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eastman Associates for the sale of Parcels 124, 189, 211, 216d, 235, 236 and 237 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 667 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John W. Ponds for the sale of Parcels 112 and 114 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 668 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Marvin W. Smith for the sale of Parcel 881 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 669 Resolution providing for a Supplemental Agreement or Agreements

with the Pittsburgh Neighborhood Alliance so as to extend the term of the Original Agreement (#23530-F, dated Oct. 18, 1978) from Oct. 19, 1979 to December 31, 1980, and to expand the "Scope of Work" to include administrative costs for providing "technical assistance to various neighborhood groups" who wish to sponsor Six Year Development Program/Budget Meetings for the City of Pittsburgh.

Also,

No. 670 Resolution providing for a Supplemental Agreement or Agreements with the Urban League of Pittsburgh, Inc. (for City-wide housing counseling and housing information services to the City) so as to extend the term of the Original Agreement (#23449 dated August 15, 1978) from April 30, 1979 to July 31, 1980. Budget line item CP-78-02.

Also,

No. 671 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements with Penn State University to provide a 10 week training program on "Building & Housing Code Administration" for 28 Department of Housing employees and providing for the payment of the cost thereof.

Also,

No. 672 Communication from Robert Lurcott, Director, Department of City Planning requesting permission for Beverly Bergad, Catherine Moon and Sandra Oliver to attend Personal Effectiveness of Public Professionals Seminar, Pittsburgh, PA, April 24, 1980, at cost not to exceed \$85.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 673 Communication from Robert Lurcott, Director, Department of City Planning requesting permission for Hubert Smith, Jack Sproul and David Toal to attend HUD

Fair Housing and Equal Opportunity Meeting, Harrisburg, PP, April 28-30, 1980, at cost not to exceed \$800.00, payable from 1979 Community Development Block Grant Program, Department of City Planning, Administration Account, CP-79-01.

Also,

No. 674 Communication from Robert Lurcott, Director, Department of City Planning requesting permission for Reginald Young, Deputy Director for Community Development, to attend National Community Development Assoc. Conference, Washington, D.C., May 21-23, 1980, at cost not to exceed \$430.00, payable from 1979 Community Development Block Grant Program, Department of City Planning, Administration Account CP-79-01.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 675 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$7,474.02 to the Commonwealth of Pennsylvania representing final payment required for unclaimed funds for the year 1971 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 676 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,000.32 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1972 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act. Act of August 9, 1971, P.L. 74.

Also,

No. 677 Resolution providing for the

issuance of a warrant in favor of Air and Power Service Company, in the amount of \$1,904.75 in payment for parts and services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof.

Also,

No. 678 Resolution providing for a Supplemental Agreement with Psychological Service of Pittsburgh to increase the authorized amount from \$10,000.00 to \$15,000.00 for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations.

Also,

No. 679 Resolution providing for an agreement or agreements with Action Housing, Inc., Alpha House, Inc., Brashear Association, Housing Opportunities, Inc., and Open Doors for Handicapped, Pittsburgh Chapter, for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof.

Also,

No. 680 Communication from John E. McGrady, City Controller requesting interim approval for additional costs involved in printing the Controller's Annual Report, amount not to exceed \$2,500.00, chargeable to Code Account No. 1049, Supplies.

Also,

No. 681 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Margaret Checco to attend Personal Effectiveness of Public Professionals Seminar, Pittsburgh, PA, April 24, 1980, at cost not to exceed \$60.00, payable from Code Account 1100, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

Mr. Stone presented

No. 682 Report of the Committee on Finance for April 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 571

A Resolution entitled, "Resolution further amending Resolution No. 721, effective August 20, 1979, as amended by Resolution No. 115, effective March 7, 1980, entitled: 'Amending Resolution No. 721, effective August 20, 1979, providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$57,369.05 and \$30,357.70 totalling in the aggregate \$87,726.75, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, providing for the payment thereof and increasing the authorized amount from \$87,726.75 to \$88,707.56', by reducing the authorized amount to be expended out of Capital Project LB 79-05 from \$66,877.05 to \$66,830.51."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 576

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of IBM Corporation in the aggregate amount of \$4,500.00 for the rental of electronic word processing equipment for the Department of Supplies, and for the payment thereof."

Which was read.

Also,

Bill No. 589

A Resolution entitled, "Resolution providing for the issuance of a \$1,336.20 warrant to Ellen O'Connor in full settlement of claim for damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 590

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Building Construction Industry Administrative Committee for the implementation of the Comprehensive Employment and Training Act, Title III, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 591

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services of a CETA Hearing Officer as a requirement of the grievance process under the Comprehensive Employment and Training Act Equal Employment Opportunity provisions; and providing for an Agreement or Agreements for court reporting services and preparation of transcripts of testimony to be taken of CETA-EOPP grievance hearings, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 592

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services of a CETA Hearing Officer as a requirement of the grievance process under the Comprehensive Employment and Training Act Equal Employment Opportunity provisions; and providing for an Agreement or Agreements for court reporting services and preparation of transcripts of testimony to be taken of CETA grievance hearings, and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?



And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 611

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of B. F. Goodrich Tire Center in the amount of \$700.06 for emergency repair work furnished to the City of Pittsburgh without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 683 Report of the Committee on Public Works for April 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 566

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1229, effective December 31, 1979, as amended by Resolution No. 114, effective February 28, 1980, entitled, 'Adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Program' by increasing the fund allocation for the Bloomfield Bridge Demolition, Design and Replacement (PW 80-17) by Six Hundred Fifty Thousand (\$650,000.00) Dollars CDPW-78."

Which was read.

Also,

Bill No. 567

A Resolution entitled, "Resolution providing for a contract or contracts for construction of an Asphalt Plant (PW 80-33); and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

Mr. Givens:

I am voting no on these two bills, Bill No. 566 and Bill No. 567 and I would like my remarks from Wednesday's hearing included in the minutes.

MR. GIVEN'S REMARKS ON  
BILL NO. 566 AT THE MEETING OF  
WEDNESDAY, APRIL 9, 1980:

Mr. Givens:

Why is it not qualified for C.D.? If

we put this in the plans back in 1978, why are we finding out now that C.D. is not acceptable?

**Mr. Magee:**

The project isn't acceptable, or it wasn't eligible for C.D. money. The final Phase Four contract, when it was advertised, I believe, roughly around January, was advertised without provisions for C.D. money being in it. It was an oversight on our department and Supplies Department not providing for C.D. money to be in the contract. The error was not discovered until after the bids were opened. Since the bids were reasonable, we decided rather than rejecting the bids, we would rather eliminate the C.D. money from the contract and replace it with bond money.

**Mr. Givens:**

That is not good business. I have to say that. We are using bond fund money now that we are paying high interest rates on versus the Community Development money which is a return of our tax dollar that we give to the federal government, and to use it this way is not good business.

Mr. Stone, I am concerned about this, and, in fact, we are going into a tremendous bridge repair and rehabilitation and removal of bridges. Do we have other cases like this that we might run into? It is hard for me to sit here and pass on \$650,000 worth of legislation knowing we have millions of dollars coming up, and we might come into a situation like this downstream again.

If they had done their homework previously, we could have put C.D. money in there. Because they did not put the proper paperwork in, I assume, and get clearance on it, they cannot now use C.D. money, but must use bond fund money.

I abstain from voting on this bill.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7 Noes 1

(MR. GIVEN'S VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 568

A Resolution entitled, "Resolution vacating Nittany Street between Lakewood Street and Acme Way in the Twentieth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally."

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 684 Report of the Committee on Planning, Housing and Development for April 8, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 584

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978, and by Resolution Nos. 252, 308, 509 and 706 of 1979, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to decrease line item PW-78-13, 'Herron Avenue, New Bridge' Project No. 4-01-05-0365-78-101-78-01, from \$1,990,000 to \$1,340,000; and further to create a new line item PW-78-37, 'Bloomfield Bridge' Project No. 4-01-05-0424-78-81 (\$650,000)."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

Mr. President, on Bill No. 584, I am going to vote no. On this bill, I would just like to say that \$650,000 of Bond Fund money is being used here, that otherwise would not have been used. I put this up as a caution to the Administration that they look into their total bridge problems so that we do not have any more of this transferring of Bond Funds.

**Mr. Stone:**

I would just like, if I may, on the comments that Mr. Givens is incorporating here

— I would just like understood that by voting "aye" I am not exposing this City to any greater financial danger or debt, than by voting the way he did. In fact, all this is is a transfer of dollars and it is still going to spend the same amount of money, we will have the same financial obligation. It is not an incurring of an additional bond indebtedness.

**Michelle Madoff:**

Mr. President, may I ask Mr. Stone a question? Is it correct in my understanding is that all we are doing is six of one, a half of a dozen of another, we are just trading them off?

**Mr. Stone:**

I don't know what that means.

**Michelle Madoff:**

Well, what you are doing is taking the money from here and putting it there — it is the same money, the total amount is the same. Is that correct?

**Mr. Stone:**

We are going to spend the same amount of money, just that we are changing the source on Project A and transferring them over from B.

**Michelle Madoff:**

And are we using any of the unencumbered bond money under the new setup we have? So that we don't have to go out into the market and borrow at the new rates, we are still using the money at the old rates?

**Mr. Stone:**

There was previously a line item for that and one was coming from CD and they just transferred the two sources.

**Michelle Madoff:**

True, but the dollars still are at the

old bond rates, is that correct? Whatever bond money that we are transferring, it is still not a new bond that we are going out on, is it?

**Mr. Stone:**

Had it gone as originally spent, spending money, disregard the project, we would still be doing the same thing we are doing now.

**Michelle Madoff:**

I understand that but my second question is that we are not going out to take a new bond issue, we have existing money in unencumbered funds, it was a line item already, the money has already been borrowed at older rates, is that correct?

**Mr. Stone:**

Well, that is true, but I think this money was allocated to a project and Project A and Project B just transferred their source of funds.

**Michelle Madoff:**

Mr. Stone, I agree with you 1,000%, the only point I am making for Mr. Given's benefit is that we are not going to go out and borrow at the new rate, we are using the money that was borrowed at the old rate, whether we switch it over or not and I think perhaps he didn't understand that.

**Mr. Givens:**

Mr. President, on Mr. Stone's comments, I would like to be perfectly clear that what I am indicating is that they are using Bond Fund money that they would not otherwise have had to use, the Administration indicated that they made a goof, that they did not put in appropriate paperwork to get the community development money. So we are, in fact, transferring Bond Fund money down, I will stand on that.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 586

A Resolution entitled, "Resolution authorizing execution of License Agreement with the Urban Redevelopment Authority of Pittsburgh whereby the City of Pittsburgh will have the use of Parcels 1B and 13 in the Allegheny Center Project, 22nd Ward, for Farmer's Market and Flea Market purposes, March 1, 1980 through December 31, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens** presented

No. 685 Report of the Committee on Supplies for April 8, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 577

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of loud-speakers and equipment for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff** presented

No. 686 Report of the Committee on

Water for April 8, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 579

A Resolution entitled, "Resolution repealing Resolution No. 588, approved June 27, 1979, effective July 2, 1979, entitled, 'Resolution providing for a contract or contracts for the rehabilitation of the Chemical System Rotary Feeder; and providing for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty** presented

No. 687 Report of the Committee on Lands and Buildings for April 8, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 572

A Resolution entitled, "Resolution amending

Resolution No. 903 of 1976 by authorizing the Mayor and the Director of the Department of Lands and Buildings to enter into an amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to Act as Acquisition and Relocation Agent for the City of Pittsburgh in connection with the purchase of real property for a new fire station on Chestnut Street, Capital Project No. 76-01, No. 42/51 Fire Station, Chestnut Street, Department of Lands and Buildings, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 573

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

I would like to take this opportunity to remind the members of Council and the media that tomorrow there will be a hearing in the Chambers — it is a hearing and seminar — on what we can do to get the properties, the 20,000 pieces of properties listed, I had a letter and a meeting with Mr West, we buried the hatchet, we have kissed and made up and he is going to really try to do something about selling those properties and getting them on the computer list and really get moving and I am very pleased with that. There will be people here to advise interested parties, a number of realtors and private citizens have been calling me on how to go about buying the properties.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Mastoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## **MOTIONS AND RESOLUTIONS**

**Michelle Madoff presented**

No. 688 WHEREAS, the present design of Three Rivers Stadium does not afford the handicapped access to the Stadiums elevators; and

WHEREAS, the distance between the Stadium parking lot and Stadium seating causes extreme difficulty for the handicapped, and oftentimes discourages their attendance at Stadium events,

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Council of the City of Pittsburgh hereby urges the Stadium Authority of Pittsburgh and Three Rivers Management Corporation to take the necessary steps to provide the handicapped with access routes to the Stadium elevators and to designate inner-circle parking spaces for the handicapped in order to make the transition from parking to seating more easily negotiable.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I raised this issue at this time because it was brought to my attention by Councilman Givens, that while all of us have been offered, the issue that I raised last year, the perq — the freebee at the inner-circle parking. I received another letter offering me that space and I declined. I have spoken to almost everybody on Council and I know that Mr. Flaherty and Sophie and Mr. O'Malley, I don't know about the others, but I think none of us are taking it. Mr. Givens felt that he took it because he wanted the handicapped to have the facilities that he had — it says non-transferrable. I think we can take care of your problem.

My real concern, to be very frank, is that I have been stopped, as I am sure more people than myself have been, on this Council, by citizens saying, "You are not going to vote for Galbreath's repair of the stadium, you are not going to give our dollars away, a contract is a contract". Personally from where I sit, and from the limited information I have, and I am sure Mr. Stone's hearing will continue, I would not vote to pay for those repairs.

But how can we take a \$10.00 membership in the Allegheny Club, that costs other people \$600.00, and a free parking space on the inner-circle, and then vote on something like that. I think we would be perceived by the public as being very inappropriate, it is a very inappropriate thing to do, and I would urge all members of Council to please reject that particular perq.

**Mr. Stone:**

Mr. President, speaking to the resolution, if we want to repeat what we did before, then the resolution is in order, but this particular resolution has been covered by Mrs. Brenyo who came to City Council

and discussed this matter,, I think, last summer if my memory serves me correctly, then it was discussed again during the budget hearings in 1979 and I don't think there was any opposition then, or even now, to City Council trying to do something for the handicapped relative to the Stadium. It was my understanding that Three Rivers Stadium Authority had indicated that they were going to do something about the handicapped already. Am I correct?

**The Chair:**

Bob, if I may, they have. First of all, there are two problems. Number one, obviously, how many handicapped people are you talking about? There is a crunch on space, regardless of whether Council people have perqs or don't have them —

**Michelle Madoff:**

But that is nine spaces Mr. President.

**The Chair:**

Let me finish please — you are talking about maybe 150 or 200 people. What they do down there is, any handicapped person is allowed to pull up in their car to the Working Press Gate and is allowed to go in through there and allowed to go up the elevator, so it is not a problem with parking because they don't have to worry about that. But, obviously if 100 or 150 people want parking spaces, they just don't have them down there. It is not that anybody is against the handicapped, obviously, no one wants to hurt the handicapped. I am just trying to bring you up to date as to what they are doing for the handicapped down there.

They have a problem in regard to places where they can stay and watch the game. They didn't equip the Stadium for that for some reason, most stadiums are doing that now. There are just a couple of spaces where they can stay in the back, but truthfully, you don't have that many come to a game, so really here is enough space there. But if quite a few of them came to

the ballgame, there would be no place for them to stay and watch the game, it is just impossible.

**Mr. Stone:**

But once they get some volume there, it appears to me that they have got to go into some sort of mass program like you do with the people. When you get too many you have to bus certain people, whether they are non-handicapped, so to speak.

**The Chair:**

You had spaces up in the so-called porch, and that is I believe, where the new seats are — I haven't been over there for about three months to tell you the truth, but I am pretty sure that is where the seats — the new Steeler seats went in, where the so-called porch was, so that eliminates those spaces because you can let them go up in a wheelchair and wheel them right up to the wall and they had privacy there, and nobody interfered with them, but now they have taken that away. I don't know where they are going to go to watch the game, there is just no room.

**Michelle Madoff:**

May I say something please, this is my resolution. Mr. President, the reason I introduced the resolution, is that my information came from Councilman Givens, that he felt he only kept his parking space at the inner-circle, which violates the City-County Charter, on 706 which says we can take nothing of greater value —

**The Chair:**

That has no bearing whatsoever on your resolution, your resolution is made, I'm pretty sure it will pass. The problem, I am trying to tell you is finding the spaces, okay?

**Michelle Madoff:**

Well then we don't have to take those spaces.

**The Chair:**

I don't think anybody is opposed to this resolution and I don't think anybody is opposed to passing it Michelle —

**Michelle Madoff:**

But it is two separate and apart issues.

**The Chair:**

We don't vote against motherhood and children and crippled people, everybody knows that, we have bleeding hearts all over the place, who wants to turn the handicapped down for a space?

**Michelle Madoff:**

Well, let me rephrase it — how many people on this Council are going to keep the perqs?

**The Chair:**

That has nothing to do with your resolution.

**Michelle Madoff:**

That is the issue.

**The Chair:**

Is there a second on the resolution?

**Mr. Givens:**

I will second the resolution Mr. President.

Which motion prevailed.

**Mr. O'Malley:**

I would like to say something Mr. President — if it is true, as you said, that a lot of the handicapped don't come, I think it would behoove this Council to look into this and talk to the Stadium Authority to make sure that the handicapped have



adequate facilities so that maybe we can encourage more participation from them.

**The Chair:**

Jim, there is no problem whatsoever, I mean, we have passed the resolution, it is there baby down there. I am just telling you what can happen. Obviously if 50, say 75 — I doubt it — I don't think you would get a request for more than five or ten people and they probably could provide the spaces. I am saying that if an unusual circumstance occurred, you have a problem, but a bigger problem down there is a place for them to stay and watch the game, they don't have any facilities for that.

**Mr. O'Malley:**

Exactly. I think the Stadium Authority should look into that problem.

**The Chair:**

I mean, if you have a handicapped person in a wheelchair, and the soul comes inside, and they can't see the game anyway. You can't let them stay in the aisle because then the other people are complaining.

**Mr. O'Malley:**

That is my whole point.

**The Chair:**

There is no room in the back, you can't let them go out on the field, so where are they going to go?

**Mr. O'Malley:**

The Stadium Authority should look into that, that is their responsibility to have adequate facilities for the handicapped.

**The Chair:**

Part of the requirements for new stadiums they have to make allowances for the handicapped — I don't think they did that, in fact I know they didn't, I don't

know whose fault it was. I know in some of the newer stadiums they have spaces for them and they have made allowances for them, they didn't do it down there. That was a mismatch from the word go, that Stadium.

**Mr. Stone:**

I think we are missing the whole point. We are bringing up something now, as a resolution, which seems to indicate that on this day, April 14, 1980, we want to do something about the handicapped. Now here is where I have an objection to it. I want everybody to know that for as long as I have been on Council there has been a favorable air for helping of the handicapped, as well as the Stadium, this is an issue that has already been brought up with the Stadium Authority. Now whether they are doing it to what we would like is one thing, but nevertheless, this is a general resolution, it says nothing more than what we have already done and I don't want it to be brought up, as if as I said earlier, on April 14, 1980, this Council decided to do something about it when actually, for the last couple of years we have already been on this subject. That is the point I am making. I think the resolution is redundant and I don't think it needs the repetitiveness, if it needs some implementation, then I think that the implementation is something we ought to handle at a meeting. But far be it from me to sit here and try to act like we did something new on April 14, 1980 when Mrs. Brenyo has been carrying this very loud, very clearly and very expressly, and this Council has been 100% unanimously in accord with the wishes of the handicapped to do something about the Three Rivers Stadium.

**Michelle Madoff:**

Mr. President, I want to restate, so that everybody will clearly understand — I was under the impression, as was Mr. Stone, that we had had a bill, as a matter of fact I have heard you a number of times in Council, ask what is happening with street ramps, and what is happening and why

aren't we doing it, you are going to insist that it be done. But when Mr. Givens told me that he is keeping his space at Three Rivers Stadium because of the handicapped and that nothing was happening and he was keeping it so that the handicapped people could get into the facilities, I thought it was very appropriate to introduce that kind of a resolution so he wouldn't have to take a perq that would put us all in an embarrassing, and certainly, himself in an embarrassing position where we have to vote on the Galbreath issue of should we pay for repairing the Stadium or should we not? Now if you want to make it as a separate resolution — I was trying to help Mr. Givens out, that we should not, in light of the vote that may be pending — take a perq, then I will make that as a separate resolution.

**The Chair:**

If I may, the amusing part of this to me is, I don't drive, everybody knows that and I had a pass down there and still have one. My son was handicapped from wounds he received in Viet Nam, he used that pass. He no longer goes over there, he has a place of business and he doesn't go over that much, I now give it to another handicapped person who happened to have been shot up in Korea. I didn't want to bring that up, because I didn't want to jeopardize the party with the pass, because it says very clearly on the pass, it cannot be transferred. So Mr. Givens is not allowed to transfer his pass and I am not allowed to transfer my pass. He gave it to a handicapped person, I gave mine to a handicapped person.

**Michelle Madoff:**

No, he also uses it himself, he tells me, on occasion.

**The Chair:**

In fact, my handicapped person is Regé Fogarty.

**Michelle Madoff:**

Look I've got a great idea, why don't

we auction it off to the highest bidder and give it to the handicapped?

**The Chair:**

If you want to sit there and deprive two handicapped people of passes, do it.

**Mr. Givens:**

Mr. President, if I might, I have to go along with Mr. Stone in his remarks, because this Council has been working to the endeavors of the Stadium. The first real construction since the Stadium was built, some seven or eight years ago, is what is going on right now. Today, looking over that facility again, they do have seats in there for the handicapped, they are removable and people can get to them. One other problem we have is an elevator, as you know, Mr. President, there is only one elevator, a service elevator, primarily for the Press and all the concessionaries, I guess to get their food and equipment up there. It is very difficult to get people up there, although they use it for that purpose. But it is not designed for that purpose and during a rush period —

**The Chair:**

The only people allowed to use that elevator and I am almost sure I am right on this, are the Press and handicapped people. Nobody else is to use that.

**Mr. Givens:**

I have talked to Three Rivers Management in regards to getting the veterans from Highland Drive that are paraplegic, etcetra, into that facility, they were most welcome to accomodate anybody, as you indicated, Mr. President, that if you are handicapped, it is trying to prove that you are, that when they came, even in the Veterans' Hospital Bus, they were turned away and that is when I went to fight for those particular veterans at that time, I became acutely aware of the lack of efficiency that we have within that Stadium for the handling of all handicapped. The Stadium Auth-

ority has addressed themselves, the Mayor and his Administration have addressed themselves and they are trying to correct that right now in new Capital Improvements. However, the state law indicates that you must, at any public facility, have accommodations for the handicapped. So we have a long way to go yet, that is what I am trying to say.

**Michelle Madoff:**

Mr. DePasquale, I would have no objections to a request from Council asking that the nine spaces that they wish to give to Council be turned over to handicapped. That would be perfectly fine with me.

**Mr. Givens:**

It is very difficult for someone who is guarding the gate there to say if you are handicapped or not handicapped, even if you have a —

**Michelle Madoff:**

Are you handicapped sir?

**Mr. Givens:**

No, I am not handicapped.

**Michelle Madoff:**

Then you can't use it.

**Mr. Givens:**

Don't worry about what I do and what I don't do, that is your damn business, I have my own business to contend with.

**Michelle Madoff:**

We have to vote on the Galbreath thing.

**Mr. Givens:**

You can go to hell.

**Michelle Madoff:**

No I can't go to hell because I wouldn't be well there.

Mr. President, I have a statement — I think that all of us are very concerned, and as you know, in a previous statement I felt very badly and I think you have supported me since then, Mr. President, with reference to PPG, it was Council who was branded as the obstructionist that held up the vote at PPG, but the negotiations and the manipulations that were going on. Now we have another problem I would just like to make a statement.

As a duly elected official of City Council, I would feel remiss if I did not comment on the PPG fiasco. I am not going to deal with the merits of the case, pro or con, but to comment that it is my firm belief that this matter should never have gone to court with the resulting delay in subsequent costs to PPG of approximately a million dollars a month. Now I get that figure from Mr. Spearing's statement which I have which says, when they requested that we vote expeditiously so they could beat inflation which would add to the cost of approximately a million dollars a month and that would be something like \$3 Million if we wait until June 25th. You know, if everything is stopped until the court hearing on the 25th, we are talking about a \$3 Million escalation in inflation. Now the Mayor in his own words stated, "he wouldn't be happy until they were happy" and I presumed he meant the displaced merchants. Happiness is not a burdensome mortgage, and being made to look like obstructionists.

It is my belief that this matter could still be settled out of court for far less, or about a quarter of a million dollars. Thus saving PPG at least two and a half million dollars or more by allowing the project to proceed so that the tax base of the City can be substantially improved, and all the promises made will be kept.

As I stated previously, the issue is not whether to PPG or not to PPG. We all

voted unanimously for the PPG project, but we all requested, all of Council, that fair and equitable compensation be made to those merchants that had to be relocated. The Administration could and still can keep Council, PPG and URA from being labeled liars. If one considers that since we are providing \$760,000 worth of streets for the project at no cost to PPG, the Administration could have worked out some arrangements with PPG and still can, that would remove the reason for the merchants to seek recourse in the courts.

An appropriate comparsion, is for want of a nail, a shoe is lost, for want of a shoe, a horse is lost, for want of a horse, the battle was lost. I think that it would be a disaster to have the three or four merchants, there are only really three involved, the others are only supportive, who could have the arrangements settled out of court, whatever fees have been incurred, legal fees, whatever have you, I am sure, are about a quarter of a million dollars, that would save PPG two and a half million dollars just by holding up until June 25th. I think it is important that as duly elected officials we have a responsibility to say that. I haven't heard anybody on Council making any statement, we may feel, others may feel it was inappropriate. I feel that I had to make that kind of statement.

**Mr. Givens:**

I don't know — you know sometimes I wonder about what Michelle is trying to attempt — fair and equitable. I think all of us had to be intelligent when we made our decision to know that that meant that the PPG would work with each of the people involved down there. If that was not satisfactory, then the individuals down there had the right to go to the Board of Viewers, from there they had the right to go into the courts. Right now it is within the court system to get fair and equitable treatment. The fact is that Stephen George is coming in to brief this Council this coming Wednesday. He is restrained from doing that now because it is, in fact, in the courts and it is under litigation. I think we should

leave it there and leave it be settled — yes, this Council did want fair and equitable treatment. From what I can tell you from the URA Board, as a member of that particular Board, I have felt that most of the people who wanted the fair treatment down there have received that type of fair treatment. They really bent over backwards and I think moneywise and relocationwise and everything else. I don't know what more anyone could have done down there. We always have, in some cases, obstructionists and I think in this particular case we might have a few.

**Michelle Madoff:**

Mr. President, don't you agree that if the matter could be settled for a quarter of a million dollars and save PPG two and a half million dollars and the taxpayers can get the benefit of the tax benefit by getting that project up as quickly as possible, that we ought to at least speak out and say that?

**The Chair:**

I was informed by a black community leader that perhaps they were going to have some trouble on the minority implementation, that PPG was not living up to that end of it either, so it is possible that there is more than just the satisfied merchants down there you may have a lot of problems down there.

**Michelle Madoff:**

That is a separate and apart issue, I am referring only to getting that lawsuit out of court and going ahead with the project hoping there will not be any other issues that cannot be resolved. I hope they would involve minorities as the federal government has mandated and this Council has supported and I would hope that they would resolve their problems with the church, which is another problem we will be hearing about later, but right now we are tied up because basically there are three merchants, and supported by the people who are their friends, who say you cannot lay \$100,000 mortgages on us at 30 years. One

could argue — well, look at the big value the are getting, \$250,000, a quarter of a million dollars. That is fine if you are going out of business. You sell the property, you pay your Capital Gains Tax and you invest. But even at today's rates, you can't afford to support two and a half families out of one business. Even at those rates. And the big issue is, will people — and we don't know this. The very nature of a plumbing store, or a hardware store, is because it is cluttered and maybe sloppy a little bit, maybe people won't go to a lush plumbing and hardware store. I think this is ludicrous to tie up the PPG project which we all want to see go ahead quickly, because of stupidity, and it was stupidity on the part of the Administration.

**Mr. Stone:**

Mr. President, if I may, I find it rather interesting that everybody has the solution when it is someone else's responsibility to find one. I find it rather difficult to understand how you can ever go into a project of the multitude of this particular project and be free of problems. This City Council, and in fairness to the Mayor, even he had indicated, and we perhaps fortified even beyond his expectations, and that was, that these people should be treated, not as if it is a forced sale, but rather be treated a little bit better in trying to work the problem out. From that point on, I think, becomes what is unfortunately the problem that now exists. That is, when people want to be negotiators as they sit out in left field, it is wrong. I think that if this thing had been permitted, and is still permitted to take its normal course, in the matter of demands and offers, demands and offers and counter-demands and counter-offers, I think it will work itself out and it could have worked itself out. But, if you are going to take negotiations of a business nature and you are going to put them here at this Council table everytime that someone makes an offer or a counter-offer, or a demand, then obviously, you would never get to a solution and you would get to a day like we have today, where you are part of the problem in the past and you say we

shouldn't have the problem, we ought to resolve it. We always can give somebody's else's money away and as said many, many times, we wonder if everybody would be so donative if they were giving their own money away.

In this particular aspect of it, I think the best thing that can be done for PPG is for most of us, or all of us, to gather the negotiations at this present time and let it take its normal course. When it reaches the stalemate it can be resolved without anyone finding a solution when it is not their responsibility to find it.

**Michelle Madoff:**

Mr. President, I think it would be irresponsible for members of this Council, with the lead stories in all the media, the fact being that there is a case pending in the courts, if we could not suggest, as members of Council, that this be resolved expeditiously by working out a mere \$300,000, was what brought this whole thing about, and whatever costs have been incurred. We are duly elected, we have a right and a duty to say that. I disagree, I am sorry.

**Mr. Flaherty:**

Mr. President, as Chairperson of the newly formed Urban State Federal Relations Committee there are two things that I would like to bring to Council's attention today. The first one has to do with the recent bill that passed the State Senate that would have allocated an additional four million dollars to Pittsburgh, to reimburse the City for providing police and fire protection to tax exempt state properties in our area. This is a routine bill, but at the last minute the allocation was made to Allegheny County rather than to the City which bears the greater brunt in providing these services.

It is not my intention to get into a war with our fine County, but it is obvious that, in my mind, we provide the services, therefore an equitable policy should be received for our cost for providing these services.

This bill's intent was to make up for the local real estate taxes that you know cannot be given on the State's tax exempt land. The bill, to my understanding is now in a conference committee, as the House passed a nonconcurrence to the bill.

Recently I spoke with several of our State Representatives including my successor, Frank Pistella, who informed me that the City's lobbyist, Walter Geese, whom we have just given a sizeable raise, he was not even aware that the bill had been amended.

I have spent several terms as a State Representative and realize how confusing these matters can get with surprise amendments. But to my mind, this is why we pay our lobbyist. I would like the other Councilmembers to become more aware of this situation and I would personally like to go to Harrisburg to address the Conference Committee as to our position for an equitable solution in bringing back our fair share of money for the services we provide.

The other issue I would like Council to be aware of —

**Michelle Madoff:**

Do you want to vote on going? Because I would second that. Is that a resolution?

**Mr. Flaherty:**

Well, I was going to formally introduce it in a week, I don't have it drawn up now, I would rather introduce it formally in case there are some questions.

**Mr. Stone:**

Mr. Flaherty, if I may — from the information that I have, it seems that this bill got pushed around by people in this particular County and nowhere else. By well-meaning people who didn't understand what was happening, the right hand didn't know what the left hand was doing. It is correct that there was an attempt to get some money for this Western Pennsylvania area, namely the City of Pittsburgh, so as

a result they had the City do some work that they had to to which would justify some monies coming this way, that was done, after it was done the Senators themselves, not knowing where the \$4 Million was going shifted it from the County, and the County being good donees, were willing to accept it not realizing that they were stealing it from the City. Now we have got something that is a local problem of confusion and it is hopeful they will work it out, but it is not as clean as it may seem, it got messed up in our own particular local region.

**Michelle Madoff:**

Except that I would think, that as I have heard the story, Mr. Flaherty reports very accurately, that money was to come to the City of Pittsburgh to be used to pay for the tax exempt entities —

**Mr. Stone:**

No one said otherwise.

**Michelle Madoff:**

And I would think that if it is a matter of time I would not want to wait another week if they are going to be voting on it, we ought to vote on it right now that you go.

**Mr. Flaherty:**

Well, they are not going to act on it until after the elections, but I just want to say, Bob, that we were the only — well, in Allegheny County they were the only County that received the appropriation. There were other municipalities that received it, but we were the only one where the shift was to the County form of government and I feel that it is very important that over a third of the land in this City is tax exempt and it is not nearly that high in the County.

**Mr. Givens:**

Well, Tom, I think you have the pre-

rogative any time you want to go up there and lobby as much as you want and bring that \$4 Million back to us. I looked into it I think as all of us have Mr. President, and the fact that it is in conference right now indicates that they are trying to leave that for the County and still go back, I think, and get some more for the City, a like amount. In fact the figures that were so indicated by Councilman Stone were in fact, City figures.

**The Chair:**

As Mr. Givens said, you don't need a resolution or a motion to go to Harrisburg, you can go anytime you want.

**Michelle Madoff:**

I think he needs his fare paid, Mr. President.

**The Chair:**

Obviously it is going to be paid by the City, he is going on City business for City Council. I'm just telling the gentleman that he doesn't have to come in here and ask with his hat in his hand. He is the Chairman of that Committee he can go anytime he wants, or any other Councilperson can go on any trip that benefits the City of Pittsburgh, City Council, okay?

**Mr. Flaherty:**

Okay. The one other issue that I would like Council to be aware of, is that it appears from talking with people in Washington and from what I have read in the newspapers, is that the new Carter budget has drastically reduced the State's revenue sharing programs. As you are aware as of the present, that comprises about eleven and a half million dollars or close to 7½% of the City's budget. This to my mind, is particu-

arly galling, in that we are being denied our fair return of federal dollars that are returned to the City in this program.

Last year, if I am not mistaken, over six million dollars of that money went to the police and fire departments. To date I have not heard of any expression of concern from the Mayor's Administration about how we are going to make up this loss of revenue. It is not my intention to turn this matter into a political football but I am clearly upset at the way the Carter Administration has targeted the northeastern cities to bear the greatest burden. Denying the City their fair return on our federal tax dollars without a tax cut only means that the City will be forced to raise our own taxes to make up the difference. A loss of this magnitude is going to put a severe strain on this City. I would like to meet with our area Congresspeople, State Representatives and Members of the City's Administration and any of my colleagues at the Federal State Urban Relations meeting which I am going to convene, probably next or Friday.

I feel that it is extremely important that we do have the correct assessment of this situation and secondly that we open up all channels to find out how we can make up for this loss of tax dollars.

**The Chair:**

Thank you Mr. Flaherty.

Mr. Stone moved to approve the minutes of Monday, March 31, 1980.

Mr. Robinson seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone.

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, April 21, 1980

No. 16

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE ..... Ass't City Clerk

Pittsburgh, Pa.

Monday, April 21, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

We will be going a little out of order today, there is a resolution that Mr. O'Malley has prepared for the retired police and he would like to read that resolution himself, so Mr Richetti, would you please come to the podium.

Mr. O'Malley:

I'd like to have Mr. Sam Richetti come up here please. As almost everybody knows, Sam is the President of the retired FOP Police Officers.

No. 719 WHEREAS, the very nature of police work calls upon police officers to risk the chance of losing their lives in the line of duty; and

WHEREAS, Pittsburgh Police have always cultivated high moral and social standards in maintaining law and order within the City of Pittsburgh; and

WHEREAS, a policeman's badge is a symbol of this authority and distinguishes a police officer as a model of honor and justice.

#### NOW, THEREFORE

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Administration to put forth the policy of allowing Pittsburgh Police Officers to retain their badges after retirement as a symbol of appreciation for years of dedicated service in protecting the citizens of Pittsburgh and maintaining a high degree of law and order within the City of Pittsburgh.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Coyne seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

It gives me great pleasure to present this resolution to you Mr. Richetti.

**Mr. Richetti:**

In the name of the association, we want to thank the members of City Council for their thoughtfulness in remembering the retired policemen. Another thing I want to remind you of is that we will try to equalize the pensions someday, if we have to fight we are going to fight for it. Thank you.

**The Chair:**

There are some other retired policemen who are here, Mr. Richard Kearns, Fran Walker and Fred Finello, the Fourth Ward Chairman, he is not retired but in fact very active — Gabe Kacharis. Nice to have you with us gentlemen and congratulations.

#### **PRESENTATIONS**

**Mr. Coyne presented**

No. 689 Resolution granting unto Duquesne Light Company, 435 Sixth Street, Pittsburgh, PA, 15219 its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, a 12" gas line with lock shut-off valve, protected by (4) 6" concrete filled steel posts on a portion of the sidewalk of right of way of Etna Street in the 2nd Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 690 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$18,563.00 in payment for renovations at Homewood and Central branches, and providing for the payment thereof.

Also,

No. 691 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$60,089.76 in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 692 Resolution further amending Exhibit 1 of Res. 1038, effective January 6, 1977, as amended by Res. 261, effective April 3, 1979, entitled: "Resolution adopting the 1977 Capital Budget allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds", by increasing funds for the Department of Lands and Buildings

Also,

No. 693 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No 514 of 1947 as amended

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 694 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Portable Monitor Defibrillator Units for the Department of Emergency Medical Services, and for the payment thereof.

Also,

No. 695 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Drafting Equip-

ment for the Department of Water and for the payment thereof.

Also,

No. 696 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Fire Hose for the Department of Fire, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

**Michelle Madoff presented**

No. 697 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA 15236, in the amount of \$11,623.11 in payment for various pipe and fittings and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 698 Resolution providing for a contract or contracts with a band leader or band leaders for personal services in conjunction with the 1980 music program and providing for the payment of the costs thereof. Payments shall not exceed \$25,000.00, chargeable to and payable from Code Account 1833, Concerts, Bureau of Recreational Activities, Department of Parks and Recreation.

Also,

No. 969 Resolution providing for an agreement or agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by the Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program; providing for the payment of the City's share of the cost; and providing for the deposit of funds.

Also,

No. 700 Communication from Joseph B. Natoli, Acting Director, Department of Parks and Recreation, requesting permission for Charlotte Bennett, to attend U.S. Conference of Mayors Workshop, Aging Programs, Washington, D.C., May 5, 1980, at cost not to exceed \$175.00 payable from Code Account 1843, Senior Citizens Program, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 701 Petition from Margaret A. Harris and the residents of Dersam Street requesting a hearing for better City services.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 702 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Arthur C. Kellum, Esquire in the amount of \$1,029.30, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 703 Resolution approving a Conditional Use under Section 993.01 (a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for construction of a basement and three-story building and extension to the existing Magee-Women's Hospital building on property bounded by: FORBES AVENUE, HALKET STREET, THE BOULEVARD OF THE ALLIES and CRAFT AVENUE, and a temporary parking facility located at the southwest corner of FIFTH AVENUE and CRAFT AVENUE on 75,750 sq. ft. of land having 164.27 ft. of frontage on FIFTH AVENUE

and 230.73 ft. of frontage on CRAFT AVENUE. The applicant is Magee-Women's Hospital and the properties are zoned "I-C" Institutional - Civic, "R4" Multiple - Family Residence and "M2" Limited Industrial Districts, 4th Ward.

Also,

No. 704 Resolution amending Section 11 of Res. No. 1228, effective Dec. 31, 1979, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program", so as to correct several Capital Budget Project Numbers; and further, to increase various Capital Budget Project amounts; and further, to create new Capital Budget Project Line Items, "Minority Revolving Fund" overall grant amount from \$24,770,000.00 to \$26,044,000.00.

Also,

No. 705 Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, for the utilization of administrative funds allocated to the following programs; URA Property Management (URA-79-01); NDP Administration (URA-79-07); Section 312 HILP Administration (URA-79-10).

Also,

No. 706 Resolution providing for a cooperation agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof.

Also,

No. 707 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Paul Imhoff and Richard Bruce, to attend a class sponsored

by the Department of Labor and Industry Class on Personal Care — Boarding Home Regulations, Harrisburg, PA, April 24, 1980, at cost not to exceed \$200.00, payable from Code Account 1376, Traveling and Educational Expenses, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 708 Resolution providing for the issuance of a \$4,250.00 warrant to Amelia Bedic in full settlement of property damage; and providing for payment thereof.

Also,

No. 709 Resolution providing for the issuance of a \$1,425.00 warrant to John M. and Colleen O'Donnell Heinrich in full settlement of claim for vehicle damage; and providing for payment thereof.

Also,

No. 710 Resolution providing for an agreement or agreements with Parents Anonymous of Pittsburgh and Goodwill Industries of Pittsburgh, Inc. for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also,

No. 711 Resolution providing for an agreement or agreements with Terry and Company for auditing services in connection with the Community Development Block Grant Program at an amount not to exceed \$20,000.00.

Also,

No. 712 Resolution providing for an agreement or agreements with Lana M. Byer for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Finance.

### REPORTS OF COMMITTEES

Mr. Stone presented

No. 713 Report of the Committee on Finance for April 16, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 534

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Crown Wrecking Company, Inc., in the amount of \$254,854.00 as full and final payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street, and Itin Street, chargeable to and payable from Community Development Block Grant Funds, Unspecified Local Option, Code Account CC79-01." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Stone:

Mr. President, if I may, on Bill No. 534, I would like to appeal to all members of Council, that relative to this particular payment to Crown Wrecking, this matter is a Wallace Act bill, it requires six votes and I would just like to impress upon all members of Council that any vote in favor of this bill is not a pro Crown Wrecking vote, but rather a pro City of Pittsburgh vote. The City personnel under this specific kind of contract has determined that in their best conservative estimate, \$254,854 is due and owing and not the \$315,000 that Crown Wrecking had asked for. This is in spite of all the problems, the faults, the blames and everything else in past history that has been involved. Under this particular contract it is a legal matter that they are entitled, as far as this Council's representation and the City Administration is concerned, that that amount should be paid.

Paying something at this time, namely the \$254,854, gives us, hopefully, the opportunity that Crown Wrecking may think twice about filing any future law suit for any difference if they have got their head on straight, but it is for sure that if we don't pay anything here today, then we are guaranteeing a lawsuit, we are also guaranteeing the opportunity of paying the total sum plus interest from the day it was due and owing, and not from this particular time. What is being paid here is a sum that our people conservatively think should be paid, but it does not contain interest. If it ends up going to court, there will be an interest factor attached to it, there will also be an invitation for them to put their best foot forward under this kind of lump sum contract which very well could be over the \$254,854. And as I indicated, they say \$315,000 and if they are correct, that would be \$315,000 plus interest from the day it is due and owing.

I would therefore strongly urge everyone to reconsider their vote again and I want to close it with a very careful note — voting for the \$254,854 is not a pro Crown vote, but rather a pro City of Pittsburgh vote and as Finance Chairman I would strongly urge everyone to do that.

The Chair:

A very sensible approach Mr. Stone, thank you for your comments.

Michelle Madoff:

Mr. President, number one, I would like all of my comments of Wednesday included in the final minutes.

Number two, while this may be a Wallace Act, it was not an emergency, that was clearly established at Wednesday's meeting. When we had the Royal Street episode, which really was an emergency within one day we had three bids and we saved the City \$200,000 by not awarding a contract of \$400,000.

I agree with Mr. Stone, this is a lump sum contract, and if we had said we'd give

a million dollars, in fact, Mr. Crown could come back and say, "Well, you said you'd give me a million". There is nothing to say that Mr. Crown will not come back now and say, even if you give him \$254,000, that he doesn't want his \$315,000. You've got a contract for \$336,000.

The issue before us is very simple. The City Controller said, after consulting with his legal counsel, that he could not even investigate the payment unless there was a sum, any sum — it could have been \$3.00 coming out of this committee and I see no reason why, if we have confidence in Mr. Albert, and Mr. Albert is not an attorney, he should not be dealing with the legal aspects — and if indeed, Mr. Albert, after consulting with his expertise, and I have consulted with many people and probably did more research on this subject than anyone else, feel that even at \$180,000 they are making a sizeable profit, why can't we go with the \$186,000 figure, because Mr. McGrady still has the option to review and still has the option to work with Mr. Albert to come up with a compromised figure. Why should we in Council be coming up with a compromise figure? Do you know what it makes us all look like?

I submit that we change that figure from \$254,000 to \$186,000. I lost the vote 5 to 4, I submit that as a resolution. That we change it from \$254,000 back to \$186,000.

**The Chair:**

If the Controller's Department feels that \$186,000 is the only amount they should get, then that is what Mr. Crown will get.

**Michelle Madoff:**

Right, we have the option then to let Mr. McGrady look at it.

**Mr. Stone:**

Mr. President, I think that Michelle had an opportunity to be at the meeting with Eddie Albert and Mr. Brophy were

there and I thought we had cleared it up then and I thought we cleared it up last Wednesday, but in view of the fact that she doesn't understand —

**Michelle Madoff:**

I understand it perfectly, you are not the only person here who understands things Mr. Stone. I told you then I would not vote for it and I am telling you now I will not vote for it and next year I will not vote for it, and I think that somebody should be penalized, there should be some punitive action taken for this irresponsible act.

Now you know and I know, and you are an attorney, so don't play dumb with me, you know damn well we could go with \$180,000, it goes to McGrady, his counsel, he will then be able to review it.

**Mr. Stone:**

Mr. President, do I have the floor?

**The Chair:**

I thought you had the floor Mr. Stone, but some people don't go by protocol, go ahead.

**Michelle Madoff:**

We also don't go by Roberts Rules in this meeting.

**The Chair:**

You certainly don't.

**Michelle Madoff:**

You are right Mr. President.

**The Chair:**

You wouldn't know the spelling.

**Michelle Madoff:**

Why don't you go on another junket, it only cost \$4,600 for the last ones.

**The Chair:**

If there weren't any ladies here I'd tell you about a junket.

**Mr. Stone:**

If I may, Mr. President, it is one thing to quote Mr. Albert, but I think you have to quote him accurately. He has indicated that if this were on an itemized bill, that in his opinion, that it is probably worth \$180,000. Mr. Albert has gone one step further and he has said, under this kind of contract, that the \$180,000 would not stand up and he is saying under this kind of contract, that \$254,000, in his opinion, is a conservative figure that he can live with as far as giving a fair deal to the City of Pittsburgh. Now he has given two comments and he did not settle on one figure, now you have to understand that. If you were bidding it out now and had the luxury of that, then he says it should be \$180,000, but he says under the lump sum contract and under the legal ramifications, then they have done some work for which they should be paid and it is his opinion, under this contract, the legal aspects of it, then the \$254,000 is important.

The other thing that maybe is not coming through and ought to be, if we authorize the present sum of \$254,000 that will obviously invite the Controller to investigate. The Controller cannot raise the figure, but he can lower the figure and if we get to a position that we are lower and the Controller feels it should be more, then what we are obviously doing is what I indicated earlier. We are making it low enough that there is no alternative but to guarantee that there will be a lawsuit. I am not saying in either instance there won't be, but I am saying this much, that obviously if the Administration and Mr. Albert stating under this kind of contract that this figure is accurate, the man obviously has to pursue his rights, which in the event of the City, on the one side of it is acknowledging, if we don't pay anything, or we pay it low, then we are obviously inviting additional expense by way of legal fees, under this kind of

contract which everybody agrees, we are going to have to pay anyhow. So I don't think it is a matter of compromise, I think it is a matter of what is some figure that has to be paid. The services were rendered under a lump sum contract. We have indicated that nobody is going to be passing out any bouquets, but the question now is not the side issues, but rather one sole issue. Under this kind of contract were some services rendered, and if they were, what is the value of the services which are rendered at this particular time and under that particular contract, it has been determined by those who we asked to determine that figure that it was \$254,000. Now I think we have to understand that. It is not a compromise, it is a figure that has been, one, in which some people using their expertise, feel it is there. It will obviously invite the Controller into the picture and I think it ought to be there, as a check and balance, but making it lower that we still invite it, I don't see that that is possible. At this particular figure, if it turns out that the Controller sees otherwise, it would be surprising to me that he would be much lower in view of the past here, I assume that they have done their work. But if he can bring it down based on his investigation, fine. But he still doesn't have to pay over and above what it is, nevertheless, if we had it lower and went back and he thought it should be higher, he cannot do that without City Council, so I think at this point this is the best way, under these present circumstances, to handle this one.

**Michelle Madoff:**

Mr. President.

**The Chair:**

Something new on the subject?

**Michelle Madoff:**

Same subject.

**The Chair:**

If it is nothing new, we are moving on to other people.

**Michelle Madoff:**

Something new on the same subject.

**The Chair:**

What is it?

**Michelle Madoff:**

Mr. Stone said that Mr. McGrady could not raise the amount but he could lower it. But in his last sentence he said Mr. McGrady could raise it by coming back to Council. And frequently —

**The Chair:**

You don't understand him. Mr. McGrady can say that we owe the man more but we don't have to pay him more until we have another —

**Michelle Madoff:**

Frequently, Mr. President, we have contracts that are awarded almost constantly on items, on construction, where people come back and we have overruns. If indeed, Mr. McGrady feels, after his investigation that \$254,000 is a reasonable figure, then we can consider it. But Mr. Eddie Albert came to the table. I deliberately had him come to the table and I did ask him, did he feel that the figure of \$186,000 was a figure he was committed to and he said yes. And he also said, if you go back and listen to the tape, and I am sure that he will admit, that because it is a lump sum contract, in order to have some settlement, he was willing to go along with this figure.

I am merely suggesting that we go with \$180,000 and if indeed, Mr. McGrady, in his infinite wisdom, after comparing the bills, comes back and says, "I think we have an overrun", like we do in hundreds and hundreds of other construction things, and, "I'd like Council to appropriate more dollars", then we can deal with it at that time.

**The Chair:**

Is there any further discussion on the bill?

**Mr. Stone:**

Just so we understand, Mr. Alberts, have I quoted you correctly relative to this matter? If you were bidding the job out, it is \$180,000, but under this contract, you recommended that we take the figure of \$254,000.

**Mr. Albert:**

Under this contract, I very honestly gave my views Wednesday, under this contract, I stated there is a moral principle and a legal principle, if you want to call it that.

**Michelle Madoff:**

You are not an attorney.

**Mr. Albert:**

I know I am not an attorney, but under the contract, I feel we are going to have to take something above what I think the job is worth. He has provided documentation that we went over thoroughly.

**Michelle Madoff:**

Mr. President, may I ask a question of you Sir, does anybody here know, has anyone approached Mr. Crown to see if he would accept \$254,000?

**The Chair:**

I haven't.

**Michelle Madoff:**

Because then, if he is going to sue us anyway, we might as well be sued for the \$186,000 amount then be sued for the \$254,000 amount.

**Mr. Stone:**

Move the question.



**Michelle Madoff:**

Can anyone answer that question?

**The Chair:**

I haven't, has anyone?

**Mr. Givens:**

I haven't. I would like to make a comment, the fact that I think this Council has deliberated on this quite heavily and we have received both the pros and the cons on it, I feel the people who worked for that contract must be paid and the people that he has bought the materials and that from. I also feel that John McGrady and his review of this particular bill before us, Bill No. 534, will carry out the performance of his office as the Controller of the City of Pittsburgh and adequately pay only that which is entitled under this bill

**Michelle Madoff:**

I still believe we can go with \$180,000 and Mr. McGrady would still carry out the duty that he would engage in.

**Mr. Robinson:**

On Bill No. 534, I would like my comments from April 9th and 16th, 1980 included in the minutes.

**Mr. Stone:**

I would also like my comments brought forth.

**Michelle Madoff:**

I would like all of my comments also, I only said last meeting, but I would like all my comments on Crown.

MR. ROBINSON, MR. STONE AND MICHELLE MADOFF'S REMARKS ON BILL NO. 534 FROM THE MEETINGS OF WEDNESDAY, APRIL 8, 1980 AND WEDNESDAY, APRIL 16, 1980:

## COMMITTEE ON FINANCE

April 9, 1980

Bill No. 534

Resolution providing for the issuance of \$282,586.85 warrant in favor of Crown Wrecking Co. for site preparation work for Fire House to be erected at Spring Garden Avenue, Chestnut Street Street and Itin Street, payable from Community Development Block Grant Funds Unspecified Local Option, Code Account CC9-01. Documentation has been forwarded to City Controller's Office for review.—(MR. ROBINSON)

Which was read.

**The Chair:**

In order to save some time relative to this matter, the Administration and Mr. Albert still have not resolved the thing totally. I am going to sit with them in one week. I will entertain a motion to hold one week.

**Mr. Givens:**

So moved.

**Mrs. Masloff:**

I second the motion.

**Mr. Robinson:**

If I might, Mr. Chairman, I think it would be helpful to all of us if the issues to be discussed at this point could be handled in such a fashion that when they come back to this Council that we only have one person trying to get it together. If I read you right, you are willing to accept that responsibility at this point in holding that bill. I would like to have other Members of Council at least give Mr. Stone an opportunity to sit down. We have had two different legal opinions. It is a very sensitive issue. We have different flows of information. I don't think it would do the City any good if we don't at this point

identify somebody on Council to try to pull it together and identify what the issues are we should be discussing.

**Michelle Madoff:**

While Mr. Stone is the Finance Chairman it would be in his purview to overview and get the two dichotomies, that of the Eddie Albert findings, and that of the Jerry Rađe Jablonski findings, which are quite apart in their figures. I think we have to have somebody with some expertise in the field to sit in on that meeting. I would like very much to sit in on that meeting since I did all the research and all the homework on it. I want to hear what people are saying.

**Mr. Robinson:**

Mrs. Madoff, my concern is that, as Chairman of this committee, this issue is getting out of hand.

**Michelle Madoff:**

It got out of hand the day it was awarded without a bid.

**Mr. Robinson:**

Fine, but what I am suggesting to you is that there is a process we have. I, as Chairman of this committee, am very disturbed about the manner in which it is occurring. Every time it comes up, it comes up in my committee. That is my name under there.

**Michelle Madoff:**

Why don't you sit in on the meeting?

**Mr. Robinson:**

I don't have problems with that. All I am saying is, whoever on this Council is going to sit in, we still need someone to be identified to come back with the information and someone that the other parties can identify as trying to pull it together.

**Michelle Madoff:**

I don't think that is the issue.

**Mr. Robinson:**

It is the issue for me as Chairman of the committee.

**Michelle Madoff:**

It is a broader issue. I think you make a very valid point from your perspective. What about the public's right to know?

**Mr. Robinson:**

It has nothing to do with the public's right to know. I'm talking about the process.

**Michelle Madoff:**

Process, schmo-process. I want to know the people don't get ripped off, and I want to see that bill is adjusted correctly. I want to sit down and find out where the differences are.

**The Chair:**

Council will get a report before we come to the meeting, so it's not just handed to you.

**Michelle Madoff:**

What would be so wrong to have those Members of Council sitting in and not saying anything while you discuss with the two people the differences? What is so secret about this?

**The Chair:**

There are no secrets.

**Michelle Madoff:**

Then why can't we sit in on it?

**The Chair:**

I have been Finance Chairman for two years so far, and I don't know that anyone has accused me yet of overpaying any bill in this City of Pittsburgh, so I don't foresee that as a problem.

**Michelle Madoff:**

I don't think that's the issue. I think we're making side issues out of this. The issue is, there is a dichotomy on the amount that should be paid to the person. I have very strong feelings about it. I did a lot of research. If necessary I am going to get a lot of depositions. I want to sit there and listen to it, and I have every right to sit there and listen to it.

**The Chair:**

You may.

**Michelle Madoff:**

Thank you.

**The Chair:**

But I'm still going to run the meeting.

**Mr. Robinson:**

Mr. Chairman, I don't think this point should go without my comments again. If we are going to have any integrity in the committee system on this Council at all, there is going to be a point at which we are going to have to begin to appreciate the process and respect it. I think if we are going to attempt to serve as any kind of responsive body in this community, we are going to have to have a process. We cannot have Members of Council simply galloping off on their own, whether it be me or anyone else. If we don't have a process, how is this Council to be properly informed, whether it is me, Mr. Stone, or anyone else? Mr. Stone, because of his interest in this project, as well as the Finance Chairman, simply indicated that he would be willing to call the parties together. I have talked to a number of people who have talked to different Members of Council who are confused as to what they should or should not do. We have two separate legal opinions as to how we should proceed —

**Michelle Madoff:**

And two separate bills.

**Mr. Robinson:**

Fine. What I am suggesting to you is that we need one process, regardless of who is involved in that process, one process that everybody, including the public, can identify. All of us have a right to get the information. All of us have a right to attend committee meetings. That does not mean we have to operate in an atmosphere of chaos. I am suggesting that we pull this thing back into these Council Chambers and handle it the same way we do any other business of this Council.

**Michelle Madoff:**

But it isn't like every other business of this Council, and I have no objections to Mr. Stone chairing that meeting and trying to do the best he can to bring the parties together. All I am saying is that if I or you or Mr. O'Malley or anybody else wants to sit in on that meeting, we have every right to do so, and I will take it a step further. I don't think that Mr. Stone, while he has dealt in real estate, is an expert in demolition or in fillings or in the cost of — I think maybe we need somebody who does excavating who knows about filling.

**Mr. Robinson:**

But neither are you, Mrs. Madoff.

**Michelle Madoff:**

You're damn right I'm not, but I want to be sure that somebody who is is going to be at that meeting, somebody who knows something about the subject. What do you know about atomic energy?

**Mr. Robinson:**

I don't think it is your responsibility to establish the process.

**Michelle Madoff:**

It is my responsibility, because I am a member of this body in the same way that if Mr. O'Malley is involved in a project on

safety and I'm working on burglar alarms, he doesn't feel resentful. If somebody talks to me like Mr. Stone about \$12,000 on a water salary account, I don't mind that he is on my committee.

**The Chair:**

I think you're totally missing the point here.

**Michelle Madoff:**

I'm not missing the point. I want to make sure it isn't just put through with two people discussing, "Well, okay, we'll okay this payment without any valid —"

**The Chair:**

Just a minute. I think you're making it seem as though there is somebody here, and I don't know that can pick out anyone who wants to pay a wrongful bill.

**Michelle Madoff:**

I don't think that is the issue here at all.

**The Chair:**

That is my exact point. There is no one on this Council that has ever indicated they want to pay one penny more —

**Michelle Madoff:**

That's not true.

**The Chair:**

Just a minute. Hear me out. There is no one who wants to pay anything more, and I was told to review this thing, and I indicated, you asked me for it, and I promised I would get it for you, that we wouldn't pay one penny more than we were supposed to pay.

**Michelle Madoff:**

And I trust you. What more can I say?

**The Chair:**

That is exactly what I am trying to do. I am not monitoring, nor am I mediating anything, other than as the same complaint I made on Monday. Things should not hit this table until more people are informed about it before it comes on the table. Had it followed that process, I think we would have got the thing resolved by now. It is not time to find an initial report with no one on the Council table knowing about it without first having been briefed. That is what I think has to be done. The motion before the floor at this point is to hold for one week, and at that point we will try to get some understanding of where that issue is.

**Michelle Madoff:**

Will you hear me out for just one moment? I want to tell you where I'm coming from. I am coming from the public's right to know. There are two different legal opinions. The public is entitled to know there are two different legal opinions. There are two different evaluations of the bill. The public has a right to know that. They don't have to have the details, but they have to know it. It's like the Mayor saying he briefed you and he briefed Bill Robinson on Dravo, and now he wants to meet with me privately to brief me, which is nonsense. All of us should be briefed. I don't like this public right to know being bypassed, and I won't tolerate it.

**The Chair:**

Well, that may be your concept, but your mixing apples and oranges.

**Michelle Madoff:**

I think we're covering it up by saying somebody is not taking responsibility or putting the blame on somebody. Nobody is putting blame. I don't think you would pay anybody that wasn't their right, and I asked you. I wouldn't have asked you if I didn't trust you. All I am saying is that I would like to know that since I did all this home-

work and I have all this detail, that I could sit in on that meeting. Since it's Bill's committee, if he chooses to sit on it, he should do that.

**Mr. Givens:**

I think Councilman Stone said you could do that.

**Michelle Madoff:**

Fine, then I'm happy.

**Mr. Givens:**

I would just like to make one comment in regards to, as Councilman Robinson so indicated, the Council's Chairmanship, and within that chairmanship, each of us sit on one another's committee. As a result, all of us sit on one another's committees here, and I think that Councilman Stone so indicated that anyone or everyone could come into that meeting or get-together he will have with the major principals to finally make a decision, an intelligent decision, as to what the final dollar will be on the payment to Crown Wrecking, so I see no problem on that. Secondly, two or three legal opinions doesn't bother me one bit for this reason, that we have checks and balances within government, and this is our check, City Council's check within government to say, "We're going to look at this thing the way we want to look at it, and not the way the Mayor looks at it, not the way the Controller looks at it." So the public has a good checks and balance system here, and we are now using that to discuss it. As John McGrady so pointed out, he cannot touch this thing until Council feels and appropriates the proper amount of money. I think it is incumbent upon Council to look at this bill and come up with some final determination. I will go along with our people within our Finance Department. Eddie Albert is one of the finest in the business. I think if Eddie comes up with a certain figure, and this is what I'm going to set my goals on, because we're paying him for it.

**Michelle Madoff:**

Mr. Stone, one last thought. I really don't want to run this to death. I think the reason I'm so upset and the reason I'm being so vehement about it, everybody forgets that in the month of December that bill came before us, and we voted to pay for it; and the only reason it came back to this body is that McGrady said, "Hey, you forgot to put a code account on it." We passed it, and the only reason it came back was that we didn't have a code account; and when I got this frenetic call from Director Imhoff saying, "What do you mean, we're not going to pay the bill?" I said, "Where are the invoices?" He didn't have any invoices yet, but he wanted to pay the bill.

**The Chair:**

No, Michelle, you are not exactly accurate on that. We never intended to pay that bill. That bill was coming through because there were some problems, and we were waiting for them to submit before you get the issue.

**Michelle Madoff:**

Mr. Johnson, did we or did we not okay that bill, and the only reason you sent it back —

**The Chair:**

You okayed in a general fashion up to the quantities. Before you get paid on that kind of legislation, they have to submit invoices to draw against it. Until you have the legislation, you don't generate anything in action.

**Michelle Madoff:**

Isn't it true that you got an okayed bill, an approved bill from us, and you sent it back because inadvertently we didn't have a code account? Is that not true?

Thank you. I rest my case.

**The Chair:**

On that portion of it.

**Mr. Robinson:**

Mr. Chairman, let me say this since we have opened up some other areas here. Some time ago, and the record will reflect, when the story first was in the paper concerning the contract with Crown Wrecking on that emergency basis, I came before this Council and raised the issue of whether or not, in fact, we had followed all the procedures. I had talked to various people who had some very serious concerns about this. I raised it at this Council table. At that time there was no disposition to move on that. I subsequently raised it again. Then finally this thing had become a real big issue, so I think we ought to also put that in perspective. It wasn't as though this Council was completely unaware that there was some difficulty with the Crown Wrecking situation.

**The Chair:**

I have a motion before me to hold for one week.

**Mrs. Masloff:**

I second the motion.

Which motion prevailed.

#### EXCERPTS FROM FINANCE MEETING

April 16, 1980

Bill No. 534

Resolution providing for issuance of \$282,586.85 warrant in favor of Crown Wrecking Co. for site preparation work for Fire House to be erected at Spring Garden Avenue, Chestnut Street and Itin Street, payable from Community Development Block Grant Funds Unspecified Local Option, Code Account CC79-01. Documentation has been forwarded to City Controller's Office for review.

Which was read.

**Mr. Robinson:**

If I might, from a procedural standpoint, again I want to reiterate that I think it is appropriate for use to direct the Controller's Office to investigate this matter regardless of the contents of your report. The reason I would like to do that is so that we could move this bill forward and give the Controller's Office an opportunity to exercise their prerogative. Evidently, the Controller does not feel that he now has the authority to make that type of investigation and I think we ought to give an opportunity, regardless of what Mr. Stone's report indicates we should pay. I think we should pass the legislation and then ask for the Controller to give us a report on that investigation.

**Mr. DePasquale:**

Mr. Robinson, to that extent we have two opinions, right? One is the Controller's . . .

**Mr. Robinson:**

Right. It is my understanding that in talking to Mr. Johnson, the Controller will not move forward until we get some direction. So, rather than going back and forth, let's give the direction.

**Mrs. Masloff:**

Do you say we should move on it?

**Mr. Robinson:**

Yes, after Mr. Stone's report.

**The Chair:**

Members of Council, if I might, let me just back up on the thing that Mr. Robinson has indicated. I don't see the legal opinion that comes in the Controller's Office as being contradictory to what has been told to us before. All they are saying is, it is for us to act and thereafter when their turn comes, they will act. Now I don't see that in contradiction.

**Michelle Madoff:**

I'd like a clarification of that.

**The Chair:**

In line with this particular thing and what you are requesting Mr. Robinson, I would think that they should review it, whether they agree with us or not. They would have to make their own independent appraisal and that is my understanding. They are doing that on everything and this should not be an exception for them to do it.

**Mr. Givens:**

I have to agree too that this Council has its investigation and can do it and we should do it and we have received the report. I would like to make an amendment that the amount of this particular bill, now states \$282,000.00 — to be read \$200,000.00 and the fact that Eddie Albert came out with a figure of \$180,000.00. I'd recommend \$200,000.00.

**The Chair:**

Dick, I'm going to cover that subject.

**Mr. Givens:**

We are still adding \$80,000.00 or at least pushing to it. If the price would come out over and above that, then I would indicate that it would have to come back to this Council for approval but I don't want this full amount going in right now.

**Michelle Madoff:**

Point of clarification and I have a statement.

Mr. Johnson, if Council moves on whatever figure today, just so that you could go ahead, because frankly if it's only an investigation and Council could move on \$180,000.00 and you could investigate — say that figure is wrong and you could come back for more, isn't that true?

**Mr. Johnson:**

Yes, no difference from any other figure.

**Michelle Madoff:**

That's right, so why are we voting for a higher figure in order for you to investigate? Does somebody get my point?

**Mr. Robinson:**

You answered your own question, Michelle.

**Michelle Madoff:**

Yes, but I'm not going to vote for \$282,000.00!

**Mr. Robinson:**

You just got finished saying that it didn't make any difference!

**Michelle Madoff:**

Oh, it makes a big difference! I don't think it is worth a penny over \$180,000.00. I don't think it is even worth over \$150,000.00, but that's not the point. I see no purpose in his Council approving a figure that we agree is high just because of legalities and then having an investigator. Let's have the lower figure.

Now, may I have Mr. Albert come to the table, please.

**The Chair:**

Michelle, before we go here I'd like to give this kind of a summary if I may. So that we know where we are going, I have to give a clear picture. We are dealing solely with the issue that Councilman Robinson indicated.

I had the opportunity to meet with Mr. Brophy who was, on behalf of the Administration, reviewing all of these bills and

Mr. Albert on two occasions and possibly Michelle was part of the meeting. Relative to it, we've broken down into these categories of what Crown had requested; broken down into different sections under site preparations, different sections under slag replacement, their overhead and profit, etc. Then we got to that which the Department of Housing, after reviewing all of the submissions, felt was fair and reasonable, or at least conservative and reasonable under the type of contract, and considering the invoices which were submitted. In this process, Mr. Albert had originally given us a bill as to what he thought the contract area might be. That was then placed into a classification by measuring apples and apples so to speak. Under that, he came out with kind of a formula where it would indicate, based on the information that Mr. Albert had at that time, that the figure was somewhere around \$217,000.00. Thereafter, there were some considerations in that, namely two: One was dumping, which the contractor asked for \$33,440.00 and Mr. Albert did not, at that time, give any allocation for it but based on his experience, he indicated that a best conservative opinion might be at least half of that dumping was done. The other one was insurance. He had allocated roughly \$3,000.00. There was an invoice for \$22,000.00. How much of that invoice would be appropriated to this job or some other job — the one in front of this one was not sure and the other big difference was that under the Albert's approach there would be an overhead of 10 percent although Crown and the Department of Housing felt that the thing is usual because in the field today it is 15 percent.

At the meeting we four had on Monday, Mr. Brophy and Mr. Albert arrived at a figure which was to be what they felt would fit under the contract. The figure Eddie gives me is \$254,854.00. So that is the amended figure that would be there. Now, let me just give you an idea of what this contract is. The contract has some 18 items which had to be done. There was not on itemization of each particular line of payment. There is what we call a "lump sum" contract of \$336,000.00. And the

\$336,000.00 where it was up or down in those 17 or 18 items in a "lump sum contract" was not of consequence. The question boils itself down to the type of contract — it is a lump sum figure. The person had performed some work and how much should they be paid? Should they be paid nothing or should they be paid for what they've asked for which has been determined to be exorbitant, or should they be paid at what the Administration's representative and Mr. Albert feels under this contract is fair and reasonable for what was done? And the figure of \$254,854.00 in the figure. Let me say here so that it is not misunderstood. The original deal here was not piecemeal. It was done on an emergency basis. It was done on a lump sum. I don't think that the Department of Housing, Mr. Albert or this Council is saying that what was done, was done in the right fashion. It seems, however, from what has been able to be looked at there that Crown is at fault in some aspects of it but likewise the City of Pittsburgh is at fault in some portions of it, in how that particular contract was handled. I don't want to lose sight of that one thing. In fairness to everybody, it was an emergency situation at the time. But we cannot itemize it to come up and re-bid the job today to say this is where and what the price should be. What we are arriving at is some figure under a lump sum contract. "Some figure under a 'lump sum' contract", that pays the contractor what he is entitled to be paid. Not the figure that he is asking for. There still may be a difference but as far as this level of it, that's where the figure lies.

**Mr. Robinson:**

Mr. Chairman, just one comment. I think hopefully Council will address what I think is a valid concern that Mrs. Madoff is raising and that relates to the emergency contracts and other things that come up. I would like to indicate to all of the directors that have some responsibility to the Committee of Planning, Housing and Development. Any emergency work in the future, any emergency work in the future — if they should reach me first — I don't



want to try and run that department, but I think this is an example of the kind of situation that we get ourselves into and what comes first — the chicken or the egg?

I would like the City Clerk to send a letter to the appropriate department heads indicating that in all emergency work, they should reach me first and then they should confirm that in writing and I will share the information with Council. Before we get too far down the line, we could let people know that we are concerned and that we get things done very quickly, but by the same token we will be put in a position where we are paying more than we should, simply because it is an emergency.

**Michelle Madoff:**

First of all, it wasn't an emergency. We had an episode on Royal Street where the contractor on the job — where there wasn't really an emergency. Houses were sliding down in the rain and they wanted an additional \$400,000.00 ad-on contract. Now, because Public Works made three phone calls, the contract was awarded for \$200,000.00 for the City. Those caverns were known to everybody in the area and I think Mr. Stone just said there isn't anyone that doesn't feel that this isn't an exorbitant contract. And since everybody knew about those caverns when indeed the piece of equipment did lodge, if indeed that is true, which I question, into this underground subterranean cavern at one point, suddenly discovered that there was enough time to put a city policeman there and make three phone calls. Now, I would like Mr. Albert to come to the table, please.

As he approaches the table, I would like to say that all due respect to Mr. Albert, who I hold in high esteem, and both he and I dealing... let's go back.

Mr. Albert should not be dealing with legalities on Crown's bill. That's not your job, you're not an attorney, but only on the merits. Do you still agree that after consulting with the expert resource people, that \$180,000.00 was really the figure you think

would be a fair figure for that job? I want to know for the record.

**Mr. Albert:**

Edward Albert  
Engineering Programs Controller  
City of Pittsburgh

I will go into detail so that there is no misunderstanding.

**Michelle Madoff:**

Could we do that later, I just want an answer to that question, because I think we are going to hit the same point later.

**The Chair:**

Yes, but he has to watch the question.

**Michelle Madoff:**

Do you still hold to the figures you worked on? I understand we have a lump sum contract and I am going to get that in a minute. Do you still feel that the figures that you worked out originally — would you still agree that after consulting with your resource people and experts, and I consulted with a lot more than you did. When you came up with the figures that you brought to Council originally, do you agree that \$180,000.00 was indeed a reasonable figure for that job if we didn't have a lump sum contract?

**Mr. Albert:**

Based on what I consider to be moral principles, which I try to deal with extensively in all my work with the City, I will subscribe to the same statement in my report to Council that I don't think the job justifies payment for any more than \$186,000.00.

**Michelle Madoff:**

Thank you. The next question. Then you would say the reason we had the meeting and the reason you came up with what we call a compromise figure, was because we

would try to satisfy Mr. Crown to get the matter out of the way because we have a lump sum contract.

**Mr. Albert:**

That's correct.

**Michelle Madoff:**

How long have you been with the City?

**Mr. Albert:**

Thirty-three (33) years.

**Michelle Madoff:**

Would you say that in all of the years that you have been with this City you have never seen a more botched contract?

**Mr. Albert:**

I wouldn't call it botched. I'd say it is — I've never seen one like it.

**Michelle Madoff:**

And Mr. McGrady has said the same thing. I'll say it's botched. Thank you, Mr. Albert.

I don't agree with the amount; I will not vote for that amount. I think that we could vote for a compromise figure, perhaps one that Mr. Givens has suggested, the \$200,000.00 as opposed to \$180,000.00 being what it is really worth. Just to satisfy Mr. Crown and to get something paid because I agree that they should be paid something for the expenses incurred and I'd like to point out that most of the companies that I have talked to said the insurance should have been in the nature of 1, 2, 3 or \$4,000.00 and he's given us a bill for \$22,000.00 for insurance. Today he raised it to \$23,000.00.

As Mr. Crown states in the letter that I was to get a copy of and I'm sure it will be forthcoming, he says, "I don't have to supply any information because this is a

lump sum contract. I'm doing it because I'm being a gentleman but I really don't have to give you any information."

**Michelle Madoff:**

I will continue. I believe the figure should be approved here at \$180,000.00. Then, an investigation should be made by Mr. McGrady's office. If indeed Mr. McGrady determines that the worth of the job is at "x" figure, forgetting the legality that the Law Department has to deal with, and he says, "we have documentation". Well, I have little faith in the documentation. But, we have documentation that's worth \$225,000.00. Council has often paid additions to bills on projects that we've done. I see no reason for Council to approve \$254,000.00 or \$282,000.00, because indeed Mr. Crown still has the option to come and say, "Hey folks, you blew it. If you want to give me \$1 million, I'm entitled to take it." "You've said \$336,000.00 — and as a matter of fact it was \$350,000.00 and they brought him down, that's what you're going to give, that's what I want to get." And I'd like to say that I don't recall any incident in the short time that I have been on Council — and I do know several people that have not done their job properly in several departments and there have been punitive actions taken. It has been three days without pay and there have been dismissals and in this particular case, admitted that it was botched, but nobody's taking any action on it and I don't understand that and I'd like to close by pointing something out. Last night at eight o'clock at night I was here in this building waiting for a letter from Mr. Omslaer. I'm not going to read the entire letter because I don't want to keep everybody at the table, but I will read some high points.

Mr. Omslaer did bid in 1978. Mr. Omslaer is the original person who had the first demolition job on the North Side.

**The Chair:**

I assume he was a competitive bidder at that time.

**Michelle Madoff:**

Right, that is true. He had the contract at \$19,800.00. As I've told you previously, he didn't start on the job because his business is basically salvage, not scrap and he would make his money on the brick and goes on in this letter about how "selling brick is much more difficult, but I don't want to get into that." But he goes onto say that "early January of 1979 I received a phone call from the Superintendent of Building Inspection of the City of Pittsburgh, Paul Imhoff. He told me that the buildings were now vacant and that I could either go ahead on the contract or turn it down and he would put it up for re-bid. He said not to hurry and make up my mind but to take another look at the buildings then call him and tell him what I had decided to do. I went to look at the buildings and as I was looking an old man who was walking along the sidewalk told me about the underground passageways beneath the property. I found the passageways by going down the cellar steps of the large four-story building to where the steps were broken off then down a ladder into the tunnels. I only went into the passageway far enough to see that they were quite large and needed to be investigated further. I did not go too far because of the danger of my light going out or possibly a lack of oxygen in there. I then got my foreman Gene Robinson and we went in together with two flashlights. We checked them out completely and I told him that it looked like some of them might be under Iten Street. There was a small stream of water running through some of them and a large cast iron pipe that looked like a water line or a sewer line. The passageways seemed to go under most of the Brewery property. Within the next few days I called Mr. Imhoff and told him about the passageways and also told him that I would like to pass on the job for several reasons, one being the passageways, one being that there were over one million bricks there to be sold but January, February and March are not good months to be selling brick, plus the length of time since I bid and the inflation in that period of time and the fact that it costs much more to work in Winter

than any other time of year. I told him that as long as I would have a chance to bid again I would like to let the job pass at this time and he told me I would be able to bid again. When the new bid forms came out they were for a much higher ceiling price which I believed reflected the additional fill to be hauled in plus inflation."

To back up a little, "the passageway seemed to go under most of the Brewery property and the next few days I called Mr. Imhoff and told him about the passageway". So, how did we have an emergency in August when we told them in January?

**The Chair:**

The emergency condition at that time was a hold in the area and we had people and young children walking there.

**Michelle Madoff:**

That's right and the police should have been put on duty around-the-clock and make three lousy phone calls!

**The Chair:**

Okay, the issue before us right now is under the contract that is there, and having made an investigation by our engineer here and the Department of Housing on behalf of the Administration, what is a fair and reasonable figure under that particular contract? That is basically the issue here. I'm not finding the figure that I like; I'm taking a figure that they feel is in the job under this kind of contract.

Now Ed, the next question that needs to be asked; When we left the meeting, you and Mr. Brophy were to come back with a figure. Under this contract that you felt was in the job, now am I correct that both of you agree that the figure is \$254,854.00?

**Mr. Albert:**

Yes, I just received this morning a confirmation from the insurance company that verifies that indeed there was a bill for

\$23,3888.00 to cover Crown's job on this portion of it only.

**The Chair:**

There has been no change in what Mr. Albert has indicated. It is at 10 percent rather than 15 percent.

**Mr. Albert:**

Yes, that's correct.

**The Chair:**

Now, we are not into a compromise figure but rather from what they have done, what figure did they arrive — again and let me say very pointedly because it's easy to argue in a general fashion. We are on this kind of contract and based on this kind of contract and based on the kind of inflation that was there and based on the fact that these two individuals have investigated it totally, they came up with that as the figure that should be paid and not the \$315,-\$\$\$.00 that is suggested by Crown.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

Ayes 7 Noes 2

(MR. FLAHERTY AND MICHELLE  
MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 612

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of On-Line Systems Inc., for periodic payments for computer software for use by the Department of Personnel and Civil Service Commission in an aggregate amount not to exceed \$70,000.00 payable from CETA Trust Fund, Federal Funds."

Which was read.

**Mr. Stone:**

Mr. President, I move to recommit Bill No. 612.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Bob, you recommitted Bill No. 612, and I know that this particular company has not been paid, I don't believe, as of this

**Mr. Stone:**

I didn't ask to move that bill.

**Mr. Perry:**

This was at the request of Larry Yatch, Dick, he wanted this bill recommitted.

**Mr. Givens:**

Then why is he recommitting it? This company has not been paid one cent and we've been using their computers for six to eight months right now. If he wants to recommit it I'll have to go along, but I'll have to find out the reason why.

Also,

Bill No. 613

A Resolution entitled, "Resolution transfer-

ring the sum of Eight Thousand (\$8,000.00) Dollars from Code Account No. 1063, Miscellaneous Services, Department of the City Treasurer, to Code Account No. 1130, Advertising for Impounded Car Sales, Department of Supplies."

Which was read.

Also,

Bill No. 621

A Resolution entitled, "Resolution transferring \$5,000.00 from Code Account No. 1376 Miscellaneous Services, Bureau of Building Inspection to Code Account No. 1370-1 — Premium Pay because of the unusual number of employees in 'Acting' Positions." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 622

A Resolution entitled, "Resolution transferring the sum of \$5,000.00 from Code Account No. 42, Council's Contingency Fund to Code Account No. 1838, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

**Michelle Madoff:**

On Bill No. 622, I must confess that my memory — it slips me, I can't recall what the \$5,000 was from the Department of Parks and Recreation, can somebody tell me?

**Mr. Perry:**

That is on Ozanam.

**Michelle Madoff:**

But don't we have a separate bill on Ozanam?

**Mr. Perry:**

Yes, but that comes under Parks and Recreation.

**Michelle Madoff:**

This was that we were short \$5,000 on that? It is coming out of Community Block Grant? Or what is this money coming out of?

**Mr. Robinson:**

Mr. President, if I might, last Wednesday when this question came up, I indicated that the money was specifically for the Ozanam Cultural Center which will be engaging in a basketball game with the Yugoslavian Junior —

**Michelle Madoff:**

I'm sorry Bill, I forgot. Thank you.

**Mr. Robinson:**

There are two pieces of legislation, one is transferring the money, the other authorizing the agreement with Ozanam.

**The Chair:**

Thank you Mr. Robinson.

**Michelle Madoff:**

I'm sorry, I had just forgotten and I didn't want to vote without remembering.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

**Mr. Coyne**  
**Mr. Flaherty**

**Mr. Givens**  
**Michelle Madoff**

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr DePasquale  
(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 630

A Resolution entitled, "Resolution providing for the issuance of a \$799.00 warrant to State Farm Insurance Company and William D. and Deborah D. Miller in full settlement of claim for property damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 631

A Resolution entitled, "Resolution providing for the issuance of a \$1,276.68 warrant to Keystone Insurance Company and Ernest A. Mieri in full settlement of claim for vehicle damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 632

A Resolution entitled, "Resolution providing for the issuance of a \$963.32 warrant to Scott V. Daly in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 633

A Resolution entitled, "Resolution authoriz-

ing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 634

A Resolution entitled, "Resolution providing for the issuance of a warrant to Mabel E. Davis, widow, care of Marc Rosenwaser, Esquire, 1509 Lawyers Building, Pittsburgh, PA 15219 in the amount of \$2,500.00 in full settlement of a claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 635

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of of the U.S. Department of Labor in the aggregate amount of \$6,756.31 in payment of disallowed costs in closed out CETA sub-agent and federal grants."

Which was read.

Also,

Bill No. 636

A Resolution entitled, "Resolution authorizing the Mayor to issue a warrant countersigned by City Controller in favor of the U.S. Department of Labor in the amount of \$5,120.00 in payment of claim of the City from a closed out CETA Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 714 Report of the Committee on Public Works for April 16, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 606

A Resolution entitled, "Resolution granting unto Charles and Helen Stephon at 2100 Sydney Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a Fire Escape over a portion of the sidewalk of Sydney Street in the Sixteenth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 715 Report of the Committee on Planning, Housing and Development for April 16, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 623

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Met-Housing North Inc., for purchasing and maintaining properties in connection with the Residential Club project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 624

A Resolution entitled, "Resolution authorizing an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc., for a minority contractor bonding program at a cost not to exceed \$150,000 and providing for the cost thereof."

Which was read.

Also,

Bill No. 625

A Resolution entitled, "Resolution authoriz-

ing an Agreement or Agreements with the Business and Job Development Corporation for the improvements to 7800 Susquehanna Street and the Development of a steel can recycling center at a cost not to exceed \$75,000 and providing for the cost thereof."

Which was read.

Also,

Bill No. 626

A Resolution entitled, "Resolution amending Resolution 1005, approved November 7, 1979, entitled, 'A Resolution providing for an Agreement or Agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.' By increasing the amount of the Agreement and providing for the cost thereof."

Which was read.

Also,

Bill No. 655

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eastman Associates for the sale of Block 22R, Lots 129, 212, 148, 149, 150 and 153 and Block 22L, Lot 211 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 666

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Eastman Associates for the sale of Parcels 124, 189, 211, 216d, 235, 236 and 237 in the Twenty-First

Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

We had spoken with Director Yatch and other members of Departments and they agreed that we would shortly be putting in the principles. It has been stated in Council who Eastman Associates are, but I think it is very important that we know who we do business with and I would ask that the Clerk find out how soon they would have that in the computer so that we can have it on the bills. Mr. Perry cannot include that here if he doesn't have that information. That would be Bill No. 665 and Bill No. 666, that is Mystics and somebody else is. I'd also like to know that it is Mystic without having to ask.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.



**Mr. Givens presented**

No. 716 Report of the Committee on Supplies for April 16, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 614

A Resolution entitled, "Resolution amending Resolution No. 1078 of 1979, approved December 5, 1979, entitled 'providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumpers and ladder trucks), less trade-in for the Fire Department, and for the payment thereof,' by increasing the amount from \$240,000.00 to \$480,000.00 and inserting a second Capital Project Fund."

Which was read.

Also,

Bill No. 615

A Resolution entitled, "Resolution amending Resolution No. 840 of 1979, approved September 26, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of fifteen security screens for the Department of Parks and Recreation, and for the payment thereof,' by deleting the quantity and increasing the amount from \$2,200.00 to \$3,364.00." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally

Also,

Bill No. 616

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of wood tables for the Department of Personnel and Civil Service Commission, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, on Bill No. 616, we had asked that we be allowed to buy second hand wood tables and I think the number of tables they gave — it was my feeling and they were to get back and let us know if we could buy the tables for like \$1,500, we didn't have to spend \$2,300 and we never got an answer to that.

**Mr. Stone:**

He gave you an answer, he said he was going to buy some new and some old.

**Michelle Madoff:**

No, but in the figures that we worked out, we didn't need that kind of dollars. He said he would look into it.

**Mr. Stone:**

I thought he gave an answer to that.

**The Chair:**

I thought he answered at the meeting.

**Michelle Madoff:**

No.

**Mr. Stone:**

The question was asked and he said that he was buying old and new and that is the price he gave us.

**Michelle Madoff:**

I think it is excessive.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Mr. Givens</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 7    Noes 2**

**(MICHELLE MADOFF AND MR. ROBINSON VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Also,**

**Bill No. 655**

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the furnishing and delivery of rifles and shotguns, less trade-ins, for the Pittsburgh Police Department, at no cost to the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

**No. 717** Report of the Committee on Parks and Recreation for April 16, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 629**

A Resolution entitled, "Resolution providing for agreements or use of existing agreements, for personal and professional services and for a contract or contracts or use of existing contracts with the Ozanam Cultural Center to sponsor a benefit basketball game between the Ozanam Cultural Center and the Yugoslavian Junior Olympic Basketball Team and providing for the pay-

ment of the costs which shall not exceed \$5,000.00 chargeable to and payable from Code Account 1838, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, point of clarification, the reason the question came up on Bill No. 622, is Bill No. 622 and Bill No. 629 were companion bills on the Ozanam and they are both in the same amount and that is why Mrs Masloff and myself were not sure of the bill, I just wanted to clarify that.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 718 Report of the Committee on Lands and Buildings for April 16, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,  
Bill No. 610

Resolution repealing Resolution No. 130, approved March 7, 1980 repealing Resolution No. 1001, approved October 24, 1977. Resolution No. 1001 reinstated for sale of property in the 28th Ward on Obey Street, designated as Block 40-D, Lots 114 and 115.

Which was read.

**Michelle Madoff:**

I would like to have this bill held, I'd like to get some information cleared up — in the actual bill, on the third "whereas", it appears that the failure to comply and delay involved incurred due to the title company rather than the purchaser. As you recall, we had a hearing here and there were some questions about expediting the title searches and one of the title companies thinking we were attacking, which we were not, was upset, they said they are doing it rapidly, and I think we need some clarification. We also need clarification because the opening bid was \$2,500, Mr. Pivrotto bid it up to \$6,000, I want to know who the second bidder was, I just would like that clear before we vote, is that all right with you?

**Mr. Flaherty:**

Yes, I move to recommit Bill No. 610.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

## MOTIONS AND RESOLUTIONS

**The Chair presented**

Bill No. 720

Communication from Mayor Caliguiri informing Council of the re-appointment of Richard Givens of 229 S. Pacific Avenue to a term on the Urban Redevelopment Authority Board.

Which was read, received and filed.

Also,

Bill No. 721

Communication from Mayor Caliguiri informing Council of the appointment of David Epperson of 115 Murtland Street, Pittsburgh, PA 15208 as a member of the Urban Redevelopment Authority Board.

Which was read, received and filed.

Also,

Bill No. 722

Communication from Mayor Caliguiri re-appointing Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 723

Resolution approving and confirming the re-appointment by the Mayor of Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 724

Communication from Mayor Caliguiri re-appointing Tamara Silverman of 5540 Darlington Road as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 725

Resolution approving and confirming the

re-appointment by the Mayor of Tamara Silverman of 5540 Darlington Road as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 726

Communication from Mayor Caliguiri re-appointing Henry Woods of 178 Reed-Roberts Place as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 727

Resolution approving and confirming the appointment by the Mayor of Henry Woods of 178 Reed-Roberts Place as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 728

Communication from Mayor Caliguiri re-appointing Connie Wellons of 123 Climax Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 729

Resolution approving and confirming the re-appointment by the Mayor of Connie Wellons of 123 Climax Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 730

Communication from Mayor Caliguiri appointing James Vallas of 5809 Walnut Street, Pittsburgh, PA 15232 as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 731

Resolution approving and confirming the appointment by the Mayor of James Vallas as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 732

Communication from Mayor Caliguiri appointing Sister Melanie DiPietro of 5115 Second Avenue, Pittsburgh, PA 15207 as a member of the Human Relations Commission for a term to expire in March, 1984.

Which was read, received and filed.

Also,

Bill No. 733

Resolution approving and confirming the appointment by the Mayor of Sister Melanie DiPietro as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 734

Communication from Mayor Caliguiri appointing Barbara Burns of 530 Avery Street

as a member of the Human Relations Commission for a term to expire in March, 1984.

Which was read, received and filed.

Also,

Bill No. 735

Resolution approving and confirming the appointment by the Mayor of Barbara Burns as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 736

Communication from Mayor Caliguiri appointing Michael E. Hoover of 5523 Ellsworth Avenue #10A as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read, received and filed.

Also,

Bill No. 737

Resolution approving and confirming the appointment by the Mayor of Michael E. Hoover as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 738

Communication from Mayor Caliguiri submitting the name of William Armstrong of 5128 Rosecrest Drive as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 739

Resolution approving and confirming the appointment by the Mayor of William Armstrong of 5128 Rosecrest Drive as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 739

Resolution approving and confirming the appointment by the Mayor of William Armstrong of 5128 Rosecrest Drive as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 740

Communication from Mayor Caliguiri submitting the name of Gladys Unger of 5615 Howe Street as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read, received and filed.

Also,

Bill No. 741

Resolution approving and confirming the appointment by the Mayor of Gladys Unger as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 742

Communication from Mayor Caliguiri submitting the name of Sandra Drosnes De-

Carolis of 250 S. Homewood Avenue as a member of the Historic Review Commission for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 743

Resolution approving and confirming the appointment by the Mayor of Sandra Drosnes DeCarolis as a member of the Historic Review Commission for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 744

Communication from Mayor Caliguiri submitting the name of Milton Washington of 1101 Shady Avenue as a member of the City Development Commission for a term to expire January, 1983.

Which was read, received and filed.

Also,

Bill No. 745

Resolution approving and confirming the appointment by the Mayor of Milton Washington as a member of the City Development Commission for a term to expire January, 1983.

Which was read.

Also,

Bill No. 746

Communication from Mayor Caliguiri re-appointing Richard M. Scaife of 5201 Westminster Place as a member of the Zoological Park Commission for a term to expire October, 1983.

Which was read, received and filed.

Also,

Bill No. 747

Resolution approving and confirming the appointment by the Mayor of Richard M. Scaife of 5201 Westminster Place as a member of the Zoological Park Commission for a term to expire October, 1983.

Which was read.

Also,

Bill No. 748

Communication from Mayor Caliguiri submitting the name of Arthur Fidel of 5421 Maynard Street as a member of the Zoological Commission for a term to expire October, 1980.

Which was read, received and filed.

Also,

Bill No. 749

Resolution approving and confirming the appointment by the Mayor of Arthur Fidel as a member of the Zoological Commission for a term to expire October, 1980.

Which was read.

**The Chair:**

I would like to make a suggestion to Council, that we approve the re-appointments and make a motion to hold the others for two weeks as is customary.

**Mr. Stone:**

The only question I have — Mike, there are a couple of them that are just received and filed, aren't they?

**Mr. Perry:**

Just the first two.

**Mr. Stone:**

Okay, the first two. Relative to the others, on the Human Relations Board, doesn't that make up the majority? How many do you have there?

**Mr. Perry:**

The re-appointment of Terry Woodcock, Tamara Silverman, Henry Woods, Connie Wellons, that is it.

**Mr. Stone:**

That's four.

**Michelle Madoff:**

Aren't there any that don't need to be re-appointed, their terms aren't up?

**Mr. Perry:**

We have about five other appointments to the same Commission.

**Mr. Stone:**

The only hesitancy I have in approving them now, if you will recall, they were keeping a roll on some of these people and I don't know what their attendance record has been. Can I suggest that we just hold them for two weeks and at that time Mike, get attendance records on everybody, those re-appointees.

They may be still popular, but they may not be a contributor to that particular Commission.

**The Chair:**

I only made the suggestion because they are all serving now and they are rather well known to Council.

**Mr. Stone:**

I move to hold for two weeks.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, in a note of levity, if Mr. Coyne doesn't get elected, then we don't vote for Hoover, right? And I would also like, on a note of levity to point out that after I was here four months, Mayor Caliguiri was saying, "My God, Madoff has been here four months, and I haven't appointed her to a board or commission yet", it is two years and I think only Mr. O'Malley and I are still not on anything?

**Mr. O'Malley:**

Mr. Flaherty.

**Michelle Madoff:**

He's appointed.

**Mr. O'Malley:**

On what?

**The Chair:**

At this time, I know I speak in behalf of all of Council, to wish Mr. Coyne all the success in the world tomorrow. I presume he is not coming back for the rest of the afternoon.

**Mr. Robinson:**

If I may, please — Mr. President, it has come to my attention, that a number of City employees who have to use their own automobiles or have to incur expenses in performance of their duties, are being perhaps unduly delayed in receiving payment and I think given some of the problems that people are having in the general economy, if there is anything at all that we can do to speed up that payment, perhaps a letter from the City Clerk on behalf of Council to both the Treasurer and to the City Controller encouraging them to try to process a little bit faster, the payments that are due to City employees who are working on behalf of the City.

**Mr. Stone:**

I second that item.

Which motion prevailed.

**Michelle Madoff:**

Some time ago, and I must confess that I have been very busy and did not get to read it, this came out I believe in March. The Animal Control Program Performance Audit, and I read it and it is really very disturbing. I would encourage other members of Council to run through it. I made some notes and underlined them, I am not going to take everybody's time today but I think it is imperative that we deal with the — on page two, where it is pointed out that the program is hampered because of staff deficiencies and I am very concerned with calls I get at home about dogs that have been run over that could be saved if they could get to some attention and what happens when they call 911. I don't think this is the first time this has been raised, I think this has been a concern of Councilman Robinson. I would like to ask that perhaps we have a post agenda to discuss this in a little more detail. Could we schedule that at an appropriate time with Mr. Armstead and people dealing with this problem to see what we can do on weekends.

Also, I want to address the weekend pound — the car pound.

**Mr. Robinson:**

If I may just comment on the first item — I have been meeting with Mr. Armstead, Mr. Walker and representatives from Mr. Penkower's office relative to this issue and we have been attempting to deal with this report, but I think your concern is well taken, to bring it to the level of a post agenda so that all of Council can be informed as to what we are trying to do to address some specifics in that audit report.

**Michelle Madoff:**

Thank you very much. On another item,



I had someone call me who had a guest in town from Ohio and the car went to the pound and the pound is not open on Sunday and there is no way of getting the car out. I keep an emergency list at home so I can try to deal with things and I think that we ought to perhaps try to deal with that in a post agenda, that should be a five minute item with Superintendent Coll and perhaps somebody from the Mayor's Office.

My last item deals with a program that was triggered by Mr. Stone and I think a very meaningful one and I hope he doesn't resent — he probably does — my putting my nose in his business, but I don't believe as shoemakers, stick to your own last.

Mr. Stone had asked all the departments, or he had asked that all monies that were not used in January, February, I don't know how far he wanted to go, March or April, be put into Code Account 42. I understand there was some problem with the mechanism which was being worked out with Mr. Buckley. Mr. Buckley is working out a rather complicated formula in order to do it in an orderly and efficient manner.

However, as a Councilmember, I had some interest in getting some kind of a ballpark figure as to what kind of dollars were not used to date. Starting with my own Department, Department of Water, the figure I have is something like \$44,753, that means that in January, February and March, only using three months, those jobs were not filled. We still have over \$66,000 in other jobs that are not fully funded or laborers jobs.

For example, out of nine, for six months, only one has been filled. I understand those jobs could be filled, perhaps during the summer and even though that money hasn't been used up to date. So my figure, I guess remains at still, \$44,000. That does not include — I guess — the only thing I looked at were fully funded positions and fully funded hourly rate positions.

At the Mayor's meeting this morning, I took the opportunity of asking a couple of department heads if they would supply just that basic information and I plan to pursue that.

**Mr. Stone:**

Mr. President, if I may, I would like, and would like to impress upon some Councilmembers, when the thought about what was happening here was put into the budget itself, the ordinance was passed, there was a reason why I put it there. I am trying to get that information and it doesn't help to be sacking on after the thought has been started, to try to start some program which complicates it by getting in the road of the people who are trying to get me some information. I will get all the information that will answer those things, the money will be there and we will know where we are without trying to complicate it by an additional request.

You know some of the requests I have been hearing lately, it is surprising that some of those Directors haven't told members of Council to go someplace. Because, you know, we are asking for such minute detail I begin to wonder whether or not we are not using more of their time to answer us than to carry out the function of the City of Pittsburgh.

That Ordinance which I set up, was done there for a reason. We will get it straightened out and I think it will answer these same questions and a double probing is not going to help it out. I would just hope that we could slow down until I get that information.

**Michelle Madoff:**

Mr. President, the Water Department supplied me with this information, and Mr. Buckley's office, I don't think it took more than an hour of their time, simply because they knew what jobs were not filled, it is a matter of record what the dollar salaries were and I don't think I have asked for an unusual time factor or workload on the

part of the Department. I just thought I would share with Council that my reasoning may be different from the reasoning that Mr. Stone originally put into the budget, his reason for wanting to know unspent dollars. I support him completely but I want it for another reason, I wanted to know what kind of dollars we have in the ballpark at this point.

**Mr. Stone:**

Yes, but you don't know why I called for it, how do you know whether you are doing the same thing or not? Why don't you wait until —

**Michelle Madoff:**

Because I did. I went over your formula with Mr. Buckley before I did it.

**Mr. Stone:**

Do you know what I want from it?

**Michelle Madoff:**

I presume, for the reasons you stated, yes. I went over the whole formula.

**Mr. Stone:**

For what reason did I want it? Why did I want it?

**Michelle Madoff:**

Do you want to test me Sir? Are you going to keep score, are you going to grade me if I understand what you said at budget time? Are we going to ask questions later? Is this an exam?

**Mr. Stone:**

I want to know if you can predict what I wanted it for.

**Michelle Madoff:**

Well you said that you wanted to be sure that monies that weren't spent would

be put in a code account so that they couldn't later say that they needed it when they didn't need it. I assumed you meant what you said, you did mean what you said?

**Mr. Stone:**

That's true.

**Michelle Madoff:**

I just wanted to make sure.

**Mr. Stone:**

That prompts me to say that you have a limited knowledge as to why I intended to do it.

**Michelle Madoff:**

Oh I always have a limited knowledge when I deal with you. The Great Guru.

**The Chair:**

Upon adjournment, as you received a notice on your desk, apparently the Executive Director from St. Francis Hospital, Joe Wosniak and two of the sisters are here with him and they want to give us a little presentation on that project, I presume the compromise that they have worked out with the neighborhood and rather than having the Council Chambers, they have some displays they would like to show, I think we should have it right here at the Council table, so upon adjournment we will proceed to the Council table and discuss with Mr. Wosniak and the two sisters.

**Mr. Robinson** moved to approve the minutes of Monday, April 7, 1980.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, April 28, 1980

No. 17

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE ..... Ass't City Clerk

Pittsburgh, Pa.

Monday, April 28, 1980

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Coyne

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Michelle Madoff for Mr. Coyne presented

No. 750 Resolution amending Res.

No. 1214, effective Dec. 31, 1979, entitled, "A Resolution providing for a contract or contracts for repairs to the Stanton Avenue Retaining Wall (PW 78-22); and providing for the payment of costs thereof."

Also,

No. 751 Resolution amending Res. No. 79, effective February 22, 1980, entitled, "A Resolution providing for a contract or contracts authorizing Reconstruction of Galupe Drive Sewer; and providing for the payment of costs thereof", by increasing the project allocation to Ninety Thousand (\$90,000.00) Dollars.

Which were read and referred to the Committee on Public Works.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 752 Resolution further amending Res. 675 of 1976 providing for filing of Application with U.S. Department of Commerce for grant in connection with Local Public Works Employment Act of 1976 by transferring \$42,838.82 from LPWEA Trust Fund to PW 77-32, PR 77-25 and WD 77-15.

Also,

No. 753 Resolution amending Ord. No. 145, approved April 9, 1973, entitled, "An Ordinance providing for an agreement with the Commonwealth of Pennsylvania, Department of Transportation, for the construction of Legislative Route 70, Section 36 T (TOPICS), and providing for the payment of the City's share of the cost thereof."

Also,

No. 754 Resolution amending Ord. 212 of 1973 providing for agreement with Commonwealth of Pennsylvania, Department of Transportation for improvement and construction of LR 257, Section 27 T, LR 246, Section 37 T and LR 76, Section 43 T (TOPICS) by increasing project allocation by \$12,066.08, payable from Bond Fund 225 Temporary Indebtedness Note No. 1 of 1972.

Also,

No. 755 Resolution granting unto Mr. Joseph Lumpkins, 409 Alpine Avenue in the 25th Ward of the City of Pittsburgh, his successors and assigns, the privilege and license to continue to maintain and use, at his own cost and expense, for the duration of the present structure, that portion of Alpine Avenue (Front Steps) encroaching on Alpine Avenue.

Also,

No. 756 Resolution amending Res. No. 837, approved Sept. 20, 1979, effective Sept. 26, 1979, entitled, "A Resolution providing for a contract or contracts for Traffic Signal Installation Various Locations (PW 79-23); and providing for the payment of costs thereof", by allowing for payment to existing contracts.

Also,

No. 757 Resolution authorizing the Director of the Department of Public Works to issue a permit to South Side Hospital to

grade and pave the unimproved portion of Idaho Way from Josephine Street to Nebo Street in the 16th Ward of the City of Pittsburgh.

Also,

No. 758 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Messrs. Gererich and Kline to meet with representatives of Penn-Dot and Federal Highway Administration to discuss Bloomfield Bridge design, Harrisburg, PA, May 8, 1980, at cost not to exceed \$330.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 759 Petition from residents of East Carnegie (28th Ward, 1st District) requesting a hearing before City Council regarding run-off and drainage water damage to properties.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 760 Resolution providing for an agreement or agreements with the Stadium Authority of the City of Pittsburgh for architectural design services in connection with handicapped access improvements to Three Rivers Stadium and providing for the payment of the cost thereof.

Also,

No. 761 Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the design for construction of a new No. 10 Engine Company, West End, and providing for the payment of the cost thereof.

Also,

No. 762 Resolution amending Res. No. 282, effective April 18, 1980, entitled: "Providing for a contract or contracts in

connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the costs thereof," by increasing authorized amount from \$445,000.00 to \$645,000.00.

Also,

No. 763 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$445.00 to Kirby Electric Services, Inc. for extra work in connection with No. 8 Police Station Relocation, to be payable from Capital Project LB 76-04, No. 8 Police Station Relocation, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 764 Resolution providing for the issuance of a warrant in favor of Pittsburgh Legal Journal, in the amount of \$818.00 for advertising costs of the automobile sale held on Wednesday, March 19, 1980 without previous authority of law.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. O'Malley presented**

No. 765 Communication from Robert J. Coll, Superintendent, Department of Police, requesting permission for Sergeant Herman M. Mitchell, to attend National Association of Police Community Relations Officers Conference, Hartford, Connecticut, May 4-7, 1980, at cost not to exceed

\$430.00, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Also,

No. 766 Communication from Robert J. Coll, Superintendent, Department of Police, requesting reimbursement of \$150.00 to two members of Department of Police for expenses in connection with attendance at Municipal Police Officers Education and Training Commission Session, Pennsylvania State Police Academy, Hershey, PA, April 23-24, 1980, payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 767 An Ordinance amending and supplementing the Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals, Chapter 633, Dogs, by adding new definitions, changing license fees, and providing for licensing of cats.

Which was read and referred to the Committee on Public Works.

Also,

No. 768 An Ordinance amending the Pittsburgh Code, Title Ten, BUILDINGS,, Article VII, General Construction Regulations, Chapter 1083, High Rise Buildings, Section 1083.01, DEFINITION, by redefining the term "high rise building" as used in this chapter.

Also,

No. 769 Resolution further amending Res. 1267 of 1977 providing for filing of Application with HUD for grant in connection with 1978 Community Development Block Grant Program by decreasing certain line items listed therein and increasing the Reduced Fare Bus Loop line item from \$270,000.00 to \$404,875.44.

Also,

No. 770 Resolution amending Section

1 of Res. No. 43 of 1976, as previously amended by Resolution Nos. 45, 48, 109, 162, 167, 586 and 633 of 1976, entitled, "Providing for the establishment of program categories for the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund," so as to decrease the program category "Urban Redevelopment Authority" from \$8,060,000 to \$7,896,200; and further, to increase the program category "Unspecified Local Option Activities" from \$1,307,000 to \$1,470,800.

Also,

No. 771 Resolution providing for an agreement or agreements with the Port Authority of Allegheny County for the operation of the Model Neighborhood Reduced Fare Bus Loop Project for the period May 1, 1980 through April 30, 1981, in an amount not to exceed \$310,000.00, chargeable to and payable thereof.

Also,

No. 772 Resolution providing for a Supplemental Agreement or Agreements with the Port Authority of Allegheny County for the Model Neighborhood Reduced Fare Bus Loop Project decreasing the amount provided thereof from \$296,791.97 to \$262,643.00.

Also,

No. 773 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof.

Also,

No. 774 Resolution providing for a Fourth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, amending the Community Development Block Grant Program Cooperative Agreement of 1975 by decreasing the cost

thereof and reallocating the amount of \$163,800 from the program category "Urban Redevelopment Authority" to the program category 1975 CDBG Program Trust Fund, "Unspecified Local Option Activities".

Also,

No. 775 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Norma Madden, to attend DCA Local Housing Rehab. Workshops, Monroeville, Pa., April 30-May 1, 1980, at cost not to exceed \$90.00, payable from Department of Housing CDHDA-Administration (HD-79-08).

Also,

No. 776 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Jane Downing and Deborah Holmes to attend National Association of Housing and Redevelopment Officials Conference, Pittsburgh, PA, May 4-7, 1980, at cost not to exceed \$120.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 777 Resolution providing for the issuance of a warrant to Betty Hoover, Administratrix of the Estate of Joseph L. Thompson, deceased, et al., in the amount of \$1,000.00 in full settlement of claim for personal injury.

Also,

No. 778 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Georgine Scrapino, to attend Regional Association of Prime Sponsors Meeting on CETA Policy and Legislation, Baltimore, Maryland, April 29, 1980, at cost

not to exceed \$150.00, payable from CETA Trust Fund.

Also,

No. 779 Communication from John A. McAllister, Manager, City Information Systems requesting permission for Barbara Funari, to attend American Society for Information Science Meeting, Pittsburgh, PA, May 14-17, 1980, at cost not to exceed \$115.00, payable from Code Account 1043, Miscellaneous Services, Information System.

Also,

No. 780 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral Security pledged by City Depositories to secure same as of March 31, 1980.

Also,

No. 781 Communication from Mead J. Mulvihill, Jr. submitting report summarizes settlements of Claims not exceeding \$750.00 for the First Quarter of 1980, payable from Code Account 1081, Petty Claims.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 782 Report of the Committee on Finance for April 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 578

A Resolution entitled, "Resolution transferring \$12,000.00 from Code Account 1714 Materials, to Code Account 1701, Miscellaneous Services." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 617

A Resolution entitled, "Resolution transferring \$30,000.00 from Code Account No. 1703, Utilities to Code Account No. 1709, Refunds and Interest, Water Rents."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 650

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Landau Building Co., in the amount of \$12,218.00 in payment for extra work performed for the benefit of the City in connection with the relocation of No. 8 Police Station, West End; and providing for the payment thereof."

Which was read.

Also,

Bill No. 658

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Spiniello Construction Company, Airport Park, 25 Airport Road, Morristown, New Jersey 07960 in the amount of \$20,000.00 in payment for the installation of four (4) filler pipes furnished for the benefit of the City in connection with City Controller's Contract No. 23172-F 'Valve Replacement in Various Locations' and providing for the payment thereof."

Which was read.

Also,

Bill No. 660

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$36,598.23 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 675

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$7,474.02 to the Commonwealth of Pennsylvania representing final payment required for unclaimed funds for the year 1971 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 676

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,000.32 to the Common-

wealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1972 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 677

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air and Power Service Company, in the amount of \$1,904.75 in payment for parts and services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 678

A Resolution entitled, "Resolution providing



for a Supplemental Agreement with Psychological Service of Pittsburgh to increase the authorized amount from \$10,000.00 to \$15,000.00 for professional services in connection with the research, preparation, evaluation, administration and validation of Civil Service entrance and promotional examinations."

Which was read.

Also,

Bill No. 679

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Action Housing Inc., Alpha House, Inc., Brashers Association, Housing Opportunities, Inc., and Open Doors for the Handicapped, Pittsburgh Chapter, for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 783    Report of the Committee on

Planning, Housing and Development for April 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No.344

A Resolution entitled, "Resolution providing for an agreement with the St. Clair Athletic Association, Senior Citizens Council for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh."

Which was read.

**Mr. Stone:**

I would like my remarks from Wednesday's meeting relative to Bill No. 344 incorporated into the minutes of this meeting.

**MR. STONE'S COMMENTS ON BILL NO. 344 FROM THE MEETING OF WEDNESDAY, APRIL 23, 1980:**

**Mr. Stone:**

Members of Council, we postponed this matter for one more week so that we would have an opportunity to re-meet with everyone to see if we could come out with something that might fit the needs of everyone.

I have drawn up this agreement which I would like to share with everyone and I have shared the rough notes with everybody and there is an Agreement on it.

This Agreement made this 23rd day of April, 1980 by and between the SENIOR CITIZEN COMMITTEE of Arlington, headquartered at the Kaufman Center,

**AND**

The Senior Citizens and the St. Clair A.C. of Arlington, headquartered at the St. Clair A.C. Center.

WHEREAS: The Senior Citizens Committee of Arlington is the present provider of multi-purpose service and needs of the Senior Citizens of the Arlington Service area;

WHEREAS: The St. Clair A.C. has been and does desire to continue to provide assistance to the Senior Citizens, at or near its present facility;

WHEREAS: There is legislation presently pending before the City Council of the City of Pittsburgh relative to certain improvements to the St. Clair A.C. structure;

WHEREAS: The parties hereto believe that it is within the best interest of all Senior Citizens in the Arlington Service Area that a cooperative arrangement and agreement be made, among the Senior Citizens, and by and between the respective organizations.

NOW, THEREFORE, the parties hereto understand and do hereby agree to do the following:

1. All parties agree that the present ordinance before the City Council, relative to certain improvements to the St. Clair A.C. structure, be approved with the following additional understanding and conditions.
2. That the Senior Citizen Committee, headquartered at the Kaufman Center, be the primary organizational and coordinating unit for and on behalf of the Senior Citizens of the Arlington Service area including both locations.
3. That the St. Clair A.C. shall and will provide, supplemental needs and services to those provided by the Senior Citizen Committee and only for the Senior Citizens in the vicinity of the St. Clair A.C. area.
4. The St. Clair A.C. Senior Citizens of the St. Clair A.C. shall have a minimum of one (1) Board Member representation, on the coordinating Senior Citizens' Committee, which representa-

tive shall be selected solely by the Senior Citizens of the St. Clair A.C.

5. All parties further agree that relative to the election of the balance of Board Representatives, that they shall be selected and voted upon by the individual Senior Citizen members of the Senior Citizens Committee.
6. All parties agree that the agreement of understanding is intended to further the cause and best interests of the Senior Citizens in the Arlington service area and each will exert its best efforts to amicably and cooperatively resolve any and all further matters, keeping in mind, always, the best interests of all Senior Citizens in the Arlington Service area.

IN WITNESS WHEREOF, the parties do hereby set their respective hands and seals this date.

SENIOR CITIZEN COMMITTEE  
Ann E. Komlenic

SENIOR CITIZENS COMMITTEE  
ST. CLAIR A.C.  
Constance Bilski

ST. CLAIR A.C.  
Constance Bilski

This Agreement is to be signed by the Senior Citizens Committee, the Senior Citizens Committee is St. Clair A.C. and St. Clair A.C.

I have spoken to Connie Bilski who represents two of those units and has authority to sign on behalf of St. Clair and I have talked to Ann Komlenic who represents the Senior Citizens Committee and they have all indicated an assent to it and with that in mind, before everybody leaves I would like you to sign this and we will give everybody a copy. With that I will entertain a motion to move favorably on this bill.

Also,

Bill No. 583

A Resolution entitled, "Resolution providing

for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the STATION SQUARE URBAN DEVELOPMENT ACTION GRANT PROJECT: providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the STATION SQUARE URBAN DEVELOPMENT ACTION GRANT PROJECT; and providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account"

Which was read.

**Mr. Robinson:**

Mr. President, on Bill No. 583, in accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 583, if it is passed, shall be the date on which it is signed by the Mayor.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

**Bill No. 667**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John W. Ponds for the sale of Parcels 112 and 113 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

**Bill No. 668**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment

Authority of Pittsburgh and Marvin W. Smith for the sale of Parcel 81 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 669**

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the Pittsburgh Neighborhood Alliance so as to extend the term of the Original Agreement (23530-F, dated October 18, 1978) from October 19, 1979 to December 31, 1980, and to expand the 'Scope of Work' to include administrative costs for providing 'technical assistance to various neighborhood groups' who wish to sponsor Six Year Development Program/Budget Meetings for the City of Pittsburgh."

Which was read.

Also,

**Bill No. 670**

A Resolution entitled, "Resolution providing

for a Supplemental Agreement or Agreements with the Urban League of Pittsburgh, Inc. (for City-wide housing counseling and housing information services to the City) so as to extend the term of the Original Agreement (#23449 dated August 15, 1978) from April 30, 1979 to July 31, 1980. (Budget line item CP-7802; Project #4-15-10-0002-78-7-78-15.)"

Which was read.

**Mr. Robinson:**

Mr. President; on Bills 669 and 670, I would like to move that those bills be re-committed to committee, in order that we might get from the appropriate parties, the actual dollar amount and some more information relative to the scope of work. It was my understanding, and Mrs. Madoff will speak to this, that Council had requested some specifics on bills of this type. That information was not forthcoming, I assumed it would be here today, it is not here, so I would like to have these sent back to committee until we can get that information.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I would like to thank Mr. Robinson for his support. This morning at the Mayors meeting we had a number of bills that were introduced, asking for money without saying why we needed the money or asking for transfers without saying why we needed the transfers.

I have asked the Directors to give us, two sentences, three sentences, just so we have some idea what it is about so we don't have to really spend a lot of time doing a lot of research on unnecessary work.

It is very difficult for Mike Perry to have a crystal ball and figure out what it is if the bill doesn't tell you what it is. Do you like that Mr. Perry, I defended you? And we have asked that we have

figures for us to vote on an amount without knowing an amount.

Also, on Bill No. 671, perhaps somebody could answer a question, which may be a silly question — Mr. Robinson? Is it a total of ten weeks that we have the course that people go to or does each person go for ten weeks?

**Mr. Robinson:**

The whole course is for ten weeks and there are a number of people who go.

**Michelle Madoff:**

So we send a number of people to a ten week course and then later a number of people to a ten week course?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

Okay I just didn't understand that, I was just curious. And I wondered — the reason I asked, if it was just a day or two, I wondered if you had been to the course, to give us an idea if it is any good. I trust your judgment.

**Mr. Robinson:**

Pardon me, I didn't understand what you said.

**Michelle Madoff:**

No, I thought if it was a ten week overall, and some went for a day or two days or so on, that you might give us a feeling of the validity of the course, obviously you are not going to go for ten weeks.

**Mr. Robinson:**

Right, I spoke with Mr. Imhoff, in fact, this morning relative to a call I had put in to his office and I also spoke with Rich

Talarico concerning this matter. Mr. Imhoff did inform me that he had some material that he was forwarding to me relative to some new state legislation on boarding homes and some other matters and that he would be more than happy to supply us with this information, particularly in view of some of the housing concerns that you have expressed, and others.

I think that it is very valid, given the extensive nature of our proposed housing program in the City of Pittsburgh, that our building inspectors get as much training and preparation as they can. I do agree with your concern that it is meaningful and substantive and they not simply be going away on a vacation. I feel comfortable that the information Mr. Imhoff is going to give to us would substantiate this amount of time being put into preparation.

**Michelle Madoff:**

Thank you very much.

Also,

Bill No. 671

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements with Penn State University to provide a 10 week training program on 'Building and Housing Code Administration' for 28 Department of Housing employees and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeable to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

No. 784 Report of the Committee on Supplies for April 23, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 656

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a litter vacuum for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 657

A Resolution entitled, "Resolution amending Resolution No. 844, approved September 26, 1979, as amended by Resolution No. 44, approved February 15, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of a screen printing press for the Painting Division of the Department of Public Works, and for the payment thereof' by increasing the amount from \$5,950.00 to \$6,530.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 785 Report of the Committee on Parks and Recreation for April 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 661

A Resolution entitled, "Resolution amending Ordinance No. 127, approved April 7, 1971, entitled, 'Authorizing the Mayor, the Director of the Department of Public Works, the Director of the Department of Water, the Director of the Department of Lands and Buildings, and the Director of the Department of Parks and Recreation, for and on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with Urban Redevelopment Authority of Pittsburgh in furtherance of the redevelopment of Redevelopment Area No. 35 in the 26th and 27th Wards of the City of Pittsburgh, providing for the vacation of certain streets in the redevelopment area; the conveyance of all the City's right, title and interest in and to said vacated streets, and other real property in said area to the Urban Redevelopment Authority of Pittsburgh; the improvement of certain rights-of-way in said area and the making of a payment by the City of Pitts-

burgh to the Urban Redevelopment Authority of Pittsburgh and setting forth the terms of the Agreement' by providing for the designation of the Urban Redevelopment Authority of Pittsburgh as the agent of the City of Pittsburgh for the construction of the proposed recreation complex in Redevelopment Area No. 35 and the payment by the City of Pittsburgh to the Urban Redevelopment Authority of the construction costs of the Recreation complex, not to exceed \$612,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

No. 786 Report of the Committee on Public Safety for April 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 663

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Nathan S. Levenson/AIA-Architect for archi-

tectural services in connection with relocation of the Identification Section #1 Police Station, Public Safety Building; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 787 Report of the Committee on Lands and Buildings for April 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 610**

Resolution repealing Resolution No. 130, approved March 7, 1980, repealing Resolution No. 1001, approved October 24, 1977. Resolution No. 1001 reinstated for the sale of property in the 28th Ward on Obey Street, designated as Block 40-D, Lots 114 and 115.

Which was read.

Also,

**Bill No. 651**

Resolution repealing Resolution No. 389, approved 10/16/74 which authorized the sale of property in the 13th Ward on Mt. Vernon Street designated as Block 174-C, Lots 13, 14, to Myron and Christine Cook for the sum of \$600.00. Hand money in the amount of \$100.00 to be forfeited.

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 652**

Resolution repealing Resolution No. 422, approved 5/16/77, which authorized the sale of property in the 25th Ward on Compromise Street designated as Block 23-D, Lot 238 to Vivian and James Christopher for the sum of \$150.00. Hand money in the amount of \$100.00 to be forfeited.

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 652, I took

the liberty of calling the people over the weekend, because I thought it was very strange that on a \$150.00 sale, with \$100.00 down and only \$50.00 owing, the people would be allowing their money to be kept, as hand money. And I learned that — and we are going to have it further checked, Mr. Flaherty has agreed and Mr. West is looking into it, but presumably, there had been a boulder fall on this lot and the person in question who tried to buy the lot had a camper there. Fortunately the camper was not there when the boulder hit. However, they removed the boulder — they, being I presume, the City — and the ground seems to be unstable, that which is above the lot.

If indeed that is the case, I see no reason why the person should be forfeiting their \$100.00 and they will look into it and Mr. Flaherty has agreed to hold that bill.

**Mr. Flaherty:**

I move to recommit Bill No. 652.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

Bill No. 654

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

### MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, I would like to respectfully request that the Chief Clerk schedule a hearing — not a post agenda — but a hearing, to be briefed by George Whitmer, who is a member of the Downtown Development Committee, and other members such as Bill Copeland, Vice Chairman of PNB, I forgot to give you his name Mike. The Allegheny Conference, the Golden Triangle, Chamber of Commerce, Dennis Shilobod who is the attorney for the BOMA people and BOMA, to bring us up to date on the developments occurring on the Allegheny Steam Heat, as you know, we read about it months ago. That is my committee, Subcommittee on Energy. I spoke to Mr. Whitmer, he said that was a good idea, he would be happy to do it, he will follow through once we schedule it but I suggest we don't make it a post agenda, because if we are having these people, I think we should give them the courtesy of having whatever time is needed and not be sort of dashing out to eat. That is one item.

Another item that I would like to ask, as you know, I have on occasion mentioned the bicycle line that came up on — I guess it goes from the bridge and all down Beechwood Boulevard — it has blown to the four winds, it's all over the City.

I had gone to the Public Works Department, they said it wasn't their department, it was Parks and Recreation, Parks and Recreation told me they were looking into the



matter as to whether it was defective material or applied inappropriately, but we have never had an answer back and the dollars there are something like \$36,000 or \$39,000 just for this material. I think we could paint a line a lot cheaper than that, and I would ask that we have that as a post agenda.

And then I would like to have a legal ruling, if nobody objects from Council, on something that I am not recommending, I am merely investigating and it may be very foolish, but over the weekend I had occasion to be in town on a number of visits in the Oakland area and it appeared to me that the fast food operations which are probably the villains in generating much of the refuse and litter in our City, keep their own places very clean. They sweep three or four times a day, they make a concerted effort to really keep the place looking presentable, but the problem occurs at the bus stops.

I wonder if it is at all possible to put some kind of an ordinance together to make Port Authority responsible for keeping litter out of the bus stops. I understand we do rent them, some bus stops. I don't know whether it is a viable alternative, but what occurs to me is that somebody getting on a bus has to pay a higher price because the cost of cleaning up that bus stop is part of their fare. They may say, "You are making me pay more", and perhaps that kind of pressure might bring about some clean-up. That is not to say that the City shouldn't be having more than one litter can at a bus stop, which we do not have, or perhaps go back to the concept which I am going to introduce again, on having some help, cooperative help, from the fast food people and litter cans.

I have asked — I don't know if I did ask you Mr. Perry — to schedule a hearing of fast food operators who are very willing to come to Council and Public Works and talk to us about what they would be willing to do to help us and perhaps we could re-activate last year's ordinance on litter cans that have signs. But I think it is really

such a serious problem to go downtown and see this filth and go into any part of the City and see this filth. I don't know the answer, but I am looking for one and I am just wondering if this is an area we ought to look it.

**Mr. Robinson:**

Mr. President, if I might make a couple of comments, I am glad to see that Mrs. Madoff is still concerned about this issue. One of the things that I have discussed on numerous occasions with Director Walker and other persons in the Administration, is the City of Pittsburgh becoming part of the "Clean Community System" which is an international program to keep cities clean. Next week, Director Walker will be going to a solid waste management conference in Atlanta and at the same time, the International Clean City Association will be holding their conference in Atlanta in conjunction with the solid waste management conference.

Atlanta is one of the models in the country for keeping the City clean. They have a Clean City Commission which not only educates, but enforces litter ordinances. They get a sizeable contribution from the City of Atlanta and about a half a million dollars from private funds and from federal funds and they attack the problem the same way you do any municipal problem.

Hopefully, Director Walker will be able to bring back some more information and hopefully this Council will very seriously consider trying to encourage the Administration to try and participate in this program because I think the problem Mrs. Madoff is speaking of, certainly is one that needs attention.

Relative to the bus stops, many of the bus shelters that the Port Authority is authorized to construct in the City of Pittsburgh are depositories for numerous items. The Port Authority does contract out on a yearly basis the cleaning of those facilities. I think we might want to ask ourselves,

who are the individuals responsible for keeping them clean. Even though I recognize that you can't keep them clean on a daily basis perhaps we need again to very seriously look at this litter problem in reference to people who are authorized to do things in the City of Pittsburgh to see if they can work in conjunction with us to help clean up our City.

**Michelle Madoff:**

Mr. President, I thank Mr. Robinson for his support and I support everything that he said. Perhaps, then, what we might want to do, is postpone — we have enough hearings and post agenda going — until Mr. Walker comes back.

But I would like to point out that the Golden Triangle, at a meeting of their membership, pointed out that Council had passed a rather effective ordinance and they themselves, the Golden Triangle, was willing to go door to door and say to their own merchants, "This is only a warning and the next time we are going to fine you". We have the mechanism, you know, it is like my tombstone — Laws without enforcements are an exercise in futility. We need a commitment somewhere along the line to do it. I think there is a gentleman from Koppers who hails from Boston and when Mayor Kevin was expecting some celebrity in town, he brought this gentleman in and said, "You've got six weeks to get this City cleaned up, do it", and he brought in all these coalition groups, such as the Shadyside Coalition, Squirrel Hill, West End and so on, and they came up with a program and they got the communities involved. But unless there is some muscle behind, or a deterrent, perhaps a fine, nothing happens. And I don't think it is just enough to study the problem to death, we see that so often. We had a tremendous presentation here that Mr. Robinson and I attended last Thursday, I think it was one of the best things we have heard — "How to Manage City Properties", but that still isn't getting to the issue of how are we going to put on the computer all of the properties — we just have to list them into a computer.

Studying the problem and doing something about it are two separate things. I am still waiting on the ordinance on — well there are a number of items that are locked up in your committee that you are working on and I congratulate you on them, but we have got to have some muscle behind them. You can plan forever Bill and you can put forth the best bills in the world, but if you don't have somebody saying we are going to enforce it, where are we?

**Mr. Givens:**

Mr. President, on an unrelated matter, if we are finished with that discussion — Mr. President we had a very tragic accident happen right in front of the off ramp of the Fort Pitt Bridge, a tractor trailer came in there and apparently went through some four hundred feet of sod and indicated no braking action whatsoever, flipped over and there are several people apparently dead down there right now with blankets over them. The truck slammed up against one of the major complex buildings down there in the area and many people apparently are still under the vehicle. This happened about 15 or 20 minutes before we came into Council session.

**The Chair:**

What building did he crash into?

**Mr. Givens:**

It is going up Stanwix Street apparently, he tried to make a right hand turn.

**Mr. O'Connor:**

First Federal, right down in the Jenkins Arcade, he came down off the ramp and lost his brakes.

**Mr. Givens:**

He smashed in against the building so hard that everyone in the building my son, on the 11th floor, felt the vibrations, looked out the window and saw many bodies laying in the street below.

It is a serious accident and it is one that apparently it is brake failure again, we are talking about the Fort Pitt Bridge, whether the individual was able to get through the tunnels and come out that exit into the Pittsburgh downtown area with no brakes, or his brakes had failed there, or whatever had happened — we need in this Council, an explanation as to what is happening on that damn hill out there.

I think we have sat here too long leaving PennDot to take care of it. If we might, Mr. President, this coming Wednesday, if the Chief Clerk would so advise PennDot Engineering Section, their Safety Engineering Section, have someone from the State Police, and our City Departments, Department of Police, Department of Public Works, and within that Department of Public Works, someone in the Traffic Engineering Section.

I would like them to bring all maps and paraphernalia that they have and ask them, what are they going to do about runaway trucks on the Parkway West coming into the City of Pittsburgh. I think we have had it right now and I think the citizens are going to have an outcry over this particular event that we had happen today.

In my military time, we could stop huge airplanes, ships, trucks and everything else very effectively and very cheaply and I think some off ramp — several off ramps, or not even off ramps, just a siding where they can pick up heavy weights, chains or something like that which would stop these trucks from running away. And if need be, we are going to have to put a pull off up on top of that hill where the trucks must stop and check their brakes.

**Michelle Madoff:**

Mr. President, may I add to that, if we are going to have this hearing, and it should be on an emergency basis, even if it is tomorrow afternoon or Wednesday afternoon.

**Mr. Givens:**

Wednesday.

**Michelle Madoff:**

No, but I am saying — whenever you want it, there is a problem on time. But I would like to see that we request somebody be present from the Governor's Office, and I would like to ask that someone be present from the Allegheny Delegation, our Legislators, so that perhaps they can take the message back that we really mean business and maybe someone from the federal office.

**Mr. Perry:**

I have a large agenda for this Wednesday.

**Michelle Madoff:**

Well, you work that out with Mr. Givens, but I think that if we are going to do it, he is right, let's do it.

**Mr. Givens:**

What I am looking for is some very strict parameters of timetables of what in the hell they are going to do out there and we need to get these parameters in on an emergency basis if we have to get special legislation put through the State House in order to get the appropriations and the money that we need before we lose more lives needlessly.

**The Chair:**

How do we resolve to prevent these types of accidents in the future, I mean if somebody's brakes let go, really, it is an act of God —

**Michelle Madoff:**

They are not acts of God in most instances.

**Mr. Givens:**

They are not acts of God, "Jeep", it is poor maintenance of equipment in most cases and in some cases, the driver is not fully aware of the terrain. So, we will make

them aware of the terrian, make them stop at the top of the hill if need be. I don't like to do this, but I think it has come to a climactic state right now and we have to do something and do it damn quick.

**Mr. Stone:**

Mr. President, if I may, first of all, I think Senator Romanelli met here with his Transportation Committee on this very issue and they are attempting to get some state legislation to cover it. A few weeks back when that thing happened on the Greentree hill, the last one, I happened to be at Penn Dot headquarters with Mr. Carrier and they were appalled at what had happened and were trying to do something about it. There have been some plans that they have been working on and rather an expeditious fashion to try to get something done, so they are aware and are trying to do something about it, but I think that perhaps the most progressive thing that we can do is to add support to Senator Romanelli's committee which brought out the real concern on the state level to get some state legislation to cover this problem not only in Pittsburgh but everywhere, so that it is once and for all removed.

**Mr. Givens:**

I appreciate that Bob, but I think this happened in downtown Pittsburgh, I want to do something in Pittsburgh, if they don't want to do anything on top of that hill, I'm going to catch them as they come out of that tube.

**Mr. Stone:**

The trailers?

**Mr. Givens:**

I'll catch anything they want to send down at me.

**Michelle Madoff:**

Listen, there is an emergency act in

the Health Department, if you have an imminent hazard, you can move immediately.

**The Chair:**

I'm no traffic expert, but if you try to back that traffic up you are going to have more accidents on the other end than you have on this end, so one way or another there is no easy solution. Try to tell these motorists coming out of there at rush hour that you want to back all that traffic up while they get checked out.

**Mr. Stone:**

Mr. President, if I may, since our last meeting, we have all read in the newspaper about some incidents that happened in Iran and I think, had everything gone well, everyone would have been elated and very proud of what did transpire. But nevertheless, regrettably, it did not turn out as well, and I don't think that should diminish from the fact and the good intent that there was a desire on behalf of the President and our Armed Forces to do something about our incident in Iran.

My point at this time deals with those particular individuals who volunteered for that service. Eight of them will not be coming back, others are in the hospital. I would move at this particular time, that we adjourn this meeting with a moment of silence on behalf of those who gave their lives attempting to save their brother Americans. I think that gets to the core of this whole thing, if we can practice Democratic principles, we certainly owe a debt of memorialism at this particular time and I would so move before we close.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, I would just like to add one comment there, that five of those men who perished out of that eight, came from the original outfit which we formed down in

---

Eglin Air Force Base, the First Air Commando Group and a lot of people down there are very concerned.

**Mr. Robinson** moved to excuse Mr. Coyne for absence from this meeting.

**Mr. Stone** seconded the motion.

**Mr. Robinson** moved to approved the minutes of Monday, April 14, 1980.

**Michelle Madoff:**

Mr. President, before we move on the minutes, on page 331, there is a "not" put in which completely changes the context of what I said. It says, "we were not branded as obstructionists", we were branded and I will straighten that out with whoever does the minutes. I just wanted to mention that.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

**The Chair:**

If you will all remain for a moment of silence in honor of the servicemen who died in the attempt to rescue the hostages in Iran.

MOMENT OF SILENCE

**The Chair:**

Thank you very much.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, May 5, 1980

No. 18

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE ..... Ass't City Clerk

Pittsburgh, Pa.  
Monday, May 5, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. O'Malley

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 788 Resolution granting unto Marjanco Builders & Contractors, 4619 Liberty

Avenue, Pittsburgh, PA 15224, owners of a building at 4521 Butler Street 15201, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fire escape over a portion of the sidewalk of Forty-Sixth Street in the Ninth Ward of the City of Pittsburgh.

Also,

No. 789 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$16,000.00 to Trumbull Corp. for Extra Work in connection with construction of Herron Avenue, Controller's Contract No. 22726 and 22726-F.

Also,

No. 790 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$320.00 for Extra Work in connection with demolition of Fulton Street Footbridge, Controller's Contract No. 23804.

Also,

No. 791 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Messrs. McGee and Gergerich, to attend Federal Highway Administration Conference, Baltimore, Maryland, May 18-20, 1980, at cost not to exceed \$700.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 792 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514 of 1947, as amended, and providing for the forfeiture of hand money.

Also,

No. 793 Resolution amending Item (F) of Res. No. 355, approved April 25, 1980, for the sale of property in the 13th Ward being vacant land, designated as Block 174-M-Lot 211. This Resolution is to correct the Plan Lot number from No. 5 to No. 6.

Also,

No. 794 Resolution amending Item (M) of Resolution No. 355, approved April 25, 1980, for the sale of property in the 32nd Ward designated as Block 95-E, Lot 93, to Robert G. & Kathleen Dittmer. This amendment is to correct the Plan Lot number from No. 125 to No. 135.

Also,

No. 795 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937 as amended, by Act No. 250, approved July 29, 1941.

Also,

No. 796 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 797 Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc. in the amount of \$1,715.73 for

emergency purchase of a Tulas Winch without previous authority of law.

Also,

No. 798 Resolution providing for the issuance of a warrant in favor of Mack Trucks, Inc. in the amount of \$10,830.22 in payment for the emergency repair work furnished to City vehicles without previous authority of law.

Also,

No. 799 Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc. in the amount of \$402.30 for the emergency purchase of parts for a cleaning machine furnished to the City Garage facility without previous authority of law.

Also,

No. 800 Resolution providing for the issuance of a warrant in favor of Sol Neft Police Uniforms in the amount of \$2,896.93 for the purchase of Police Uniforms without previous authority of law.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 801 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumps and vinyl material) for the Pittsburgh Fire Department, and for the payment thereof.



Also,

No. 802 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various swimming pool equipment (diving boards, guard chair seats, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 803 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a rooftop air conditioner for the Department of Lands and Buildings, and for the payment thereof.

Also,

No. 804 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a trailer for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 805 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various tools (wrenches, screwdrivers, etc.) for the Department of Water, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

**Michelle Madoff** presented

No. 806 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$30,000.00 for installation of 36" valve on Butler Street at 62nd Street Bridge in accordance with prevailing prices in Controllers Contract No. 24294.

Also,

No. 807 Communication from J. Thomas Bruecken, Deputy Director, Department of Water, requesting permission for Stanley States, to attend U.S. E.P.A. training course

on "Plankton and Periphyton Analyses", Cincinnati, Ohio, May 12-16, 1980, at cost not to exceed \$700.00, payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the Committee on Water.

**Mr. Robinson** presented

No. 808 Resolution providing for the issuance of a warrant in favor of Zurawsky & Associates in the amount of \$1,085.00 in payment for stenographic reporting services furnished for the benefit of the City in connection with Zoning Board of Adjustment hearings; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 809 Resolution repealing Resolution No. 1160, approved December 27, 1979, effective December 31, 1979, entitled, "Providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc. in the amount of \$224,000.00 as partial payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street and Itin Street; and providing for the payment thereof."

Also,

No. 810 Communication from Charles W. Strong, Executive Director of the Public Auditorium Authority of Pittsburgh and Allegheny County, submitting the proposed

budget for the Civic Arena for the fiscal year 7/1/80 through 6/30/81 in accordance with Section B3 of the City-County Agreement with the Public Auditorium Authority dated April 11, 1958.

Which were read and referred to the Committee on Finance.

Also,

No. 811 Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc. for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof.

Also,

No. 812 Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh at a cost not to exceed \$2,000,000.00, chargeable to and payable from the 1980 Community Development Block Grant Program Trust Fund, Department of Housing, HD-80-07, Local Share of Improvements in HACP Communities; Support of Modernization, Conversion and Demolition as Identified by the Needs Study.

Also,

No. 813 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest if any, in and to the publicly owned properties in the 10th and 11th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-H-285, 287, 289, 227, 228, 229, 118, 176, 177, 178, 50-L-40, 41, 160, 161, 85, 88, 90, 116, 50-B-292, 294, 245, 247, 248, 296, 298, 50-A-1, 6, 8 and 9.

Also,

No. 814 Resolution authorizing the

Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 57-C-194, 199, 200, 201, 202, 203, 205, 206, 57-D-1, 4, 8, 14, 26. Located on Sunnyside Street, Almeda Street and Renova Street.

Also,

No. 815 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ethelda Younger for the sale of Parcel 56 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 816 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lenora Ivey Bush for the sale of Parcel 158 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 817 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doreatha Johnson for the sale of Parcel 244C-1 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 818 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Tom Mistick & Sons, Inc. for the sale of Parcel 29 and part of Parcel 50 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 819 Resolution approving an

agreement by and between Urban Redevelopment Authority of Pittsburgh and Tom Mistick and Sons, Inc. in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the 21st Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program.

Also,

No. 820 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Mr. Hurley, to attend meeting with Economic Development Administration, Philadelphia, PA, at cost not to exceed \$175.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 821 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Director deLuca, and Mr. Hurley, to attend Penn-CUED Annual Conference, York PA, May 6-7, 1980, at cost not to exceed \$340.00, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 822 Resolution providing for the issuance of a warrant to James C. Eastley Company, Inc. care of Charles L. Kalson, Esquire, 808 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$9,807.52 in full settlement of a claim for personal property damage and providing for the payment thereof.

Also,

No. 823 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting

permission for Richard Atkins, to attend Mid-Atlantic Personnel Association Conference on procedures to comply with merit principles for CETA Administrative Units, Williamsburg, Virginia, May 18-20, 1980, at cost not to exceed \$500.00, payable from CETA Trust Fund.

Also,

No. 824 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Georgine Scarpino, William Jarzabek, Paul Carosi to attend "The Power of Information" conference, Pittsburgh, PA, May 14-17, 1980, at cost not to exceed \$80.00, payable from CETA Trust Fund.

Also,

No. 825 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Judith Milliken to attend briefing for CETA Prime Sponsors, Harrisburg, PA, May 20, 1980, at cost not to exceed \$175.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

#### UNFINISHED BUSINESS

**The Chair:**

Before we read the appointments, Mr. Stone, for your information, we do have one there we did not interview, Mrs. Unger, and I suggested to the Chief Clerk that maybe we could pass on her today regardless. She is the only person we did not interview.

**Mr. Stone:**

You have been very persuasive and I am so moved to waive it in this case.

**The Chair** presented

Bill No. 723

Resoluion approving and confirming the re-

appointment by the Mayor of Terry Woodcock of 5933 Hobart Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 725

Resolution approving and confirming the re-appointment by the Mayor of Tamara Silverman of 5540 Darlington Road as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 727

Resolution approving and confirming the re-appointment by the Mayor of Henry Woods of 178 Reed-Roberts Place as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 729

Resolution approving and confirming the re-appointment by the Mayor of Connie Weltons of 123 Climax Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 731

Resolution approving and confirming the appointment by the Mayor of James Vallas as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 733

Resolution approving and confirming the appointment by the Mayor of Sister Melanie DiPietro as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 735

Resolution approving and confirming the appointment by the Mayor of Barbara Burns of 530 Avery Street as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 739

Resolution approving and confirming the appointment by the Mayor of William Armstrong of 5128 Rosecrest Drive as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 741

Resolution approving and confirming the appointment by the Mayor of Gladys Unger as a member of the Board of Code Review for a term to expire December 31, 1982.

Which was read.

Also,

Bill No. 743

Resolution approving and confirming the appointment by the Mayor of Sandra

Drosnes DeCarolis as a member of the Historic Review Commission for a term to expire December 31, 1981.

Which was read.

Also,

Bill No. 745

Resolution approving and confirming the appointment by the Mayor of Milton Washington as a member of the City Development Commission for a term to expire January, 1983.

Which was read.

Also,

Bill No. 747

Resolution approving and confirming the re-appointment by the Mayor of Richard M. Scaife of 5201 Westminster Place as a member of the Zoological Park Commission for a term to expire in October, 1983.

Which was read.

Also,

Bill No. 749

Resolution approving and confirming the appointment by the Mayor of Arthur Fidel as a member of the Zoological Commission for a term to expire October, 1980.

Which was read.

**The Chair:**

Is there any discussion on the appointments and re-appointments?

**Mr. Stone:**

I move for approval on all the candidates.

**Michelle Madoff:**

I would oppose that. I would like to vote individually.

**The Chair:**

Is there any further discussion on the appointments and re-appointments?

And on the question, "Shall the appointments and re-appointments be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the appointments and re-appointments were approved.

Also,

Bill No. 737

Resolution approving and confirming the appointment by the Mayor of Michael E. Hoover as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

**The Chair:**

Is there any discussion on the appointment?

**Michelle Madoff:**

I am voting no on Mr. Hoover, I would like my reason recorded, when Mr. Hoover was questioned as to why he would serve, or do a good job on that committee, he stated that he has had a great deal of

experience with people, or some experience with people who have been opposed to affirmative action as an attorney and I don't think I want to see that kind of person representing me on that committee.

**Mr. Robinson:**

I am voting no on Mr. Hoover and I would like to have my comments relative to Mr. Hoover and Mr. Washington recorded in the record please.

**MR. ROBINSON'S COMMENTS ON  
MR. HOOVER AND MR. WASHINGTON  
FROM THE MEETING OF  
WEDNESDAY, APRIL 30, 1980:  
(On Mr. Hoover)**

**Mr. Robinson:**

Just a follow-up on Mrs. Madoff's concern, I think one that is well taken. I don't think it is any secret that many people who disagree with Affirmative Action programs and equal opportunity are mounting a significant offensive against agencies and individuals who support those causes; and I would hate to think that Mr. Hoover was being recommended as someone to fight the battle from the other side. The reason I say that is not because I challenge his right to have his opinions or to have whatever clients he has, but I am a firm advocate of the Human Relations Commission, of it being strong, and of it being active, and any members of that Commission who find themselves working against the interests of equal opportunity and Affirmative Action certainly will have at least me to reckon with, and I would hope that Mr. Hoover in his activities on that Commission would not become a champion on the other side.

(On Mr. Washington)

**Mr. Robinson:**

I just have a comment. I have had occasion to know Mr. Washington personally and to observe him professionally. I think that, certainly, his selection by the Mayor was very timely, and I think he is

one of the persons serving on the Commission, who will serve on the Commission in the City, who indeed has some specific demonstrative expertise in the area; and I think that if we closely look at Mr. Washington's professional background, we will see that he is going to be a great addition to that board, in addition, I think, to his own personal integrity and character. He is concerned about the City. He is accessible. You can work with him. He is cooperative, and I think that he is going to strengthen that Commission and strengthen our economic development effort in the City of Pittsburgh. I wholeheartedly support him.

**The Chair:**

If I may, I would like to make one comment on Mr. Hoover. It is so often that we see a fellow as a prosecutor, and then later on as a defense attorney or vice versa. It is really, I don't think, a condemnation of the man because he defended people who apparently were against affirmative action. It is the role of a lawyer and it is the role he has to play. I honestly think that Mr. Hoover will do a conscientious job as a member of the committee as well as the rest of them.

**Mr. Givens:**

I would also like to have all of my remarks from Wednesday on Michael Hoover incorporated into the minutes.

**MR. GIVENS REMARKS ON  
MR. HOOVER FROM THE MEETING  
OF WEDNESDAY, APRIL 30, 1980:**

**Mr. Givens:**

Mr. Chairman, I have known Mike for a number of years now and I can vouch for his integrity, his honesty, and the fact that we belong to the same fraternal organization, and I am sure Mr. Chairman, you have great loyalty to some of yours.

I would like to say here that Mike is in good standing with his church and the community that he serves. This is some-

thing that will be exemplified and carried forward on to the Human Relations Commission.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. DePasquale
	(Pres't)

Ayes 6    Noes 2

(MICHELLE MADOFF AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**REPORTS OF COMMITTEES**

Mr. Stone presented

No. 827 Report of the Committee on Finance for April 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 690

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$18,563.00 in payment for renovations at Homewood and Cultural branches, and providing for the payment thereof."

Which was read.

Also,

Bill No. 691

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$60,089.76 in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, and providing for the payment thereof."

Which was read.

Also,

Bill No. 697

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA 15236, in the amount of \$11,623.11 in payment for various pipe and fittings and providing for the payment thereof."

Which was read.

Also,

Bill No. 702

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Arthur C. Kellum, Esquire, in the amount of \$1,029.30, in payment for professional services rendered to the Council of the City of Pittsburgh, without previous authority of law."

Which was read.

Also,

Bill No. 708

A Resolution entitled, "Resolution providing for the issuance of a \$4,250.00 warrant to Amelia Bedic in full settlement of property

damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 709

A Resolution entitled, "Resolution providing for the issuance of a \$1,425.00 warrant to John M. and Colleen O'Donnel Heinrich in full settlement of claim for vehicle damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 710

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Parents Anonymous of Pittsburgh and Goodwill Industries of Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 711

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Terry and Company for auditing services in connection with the Community Development Block Grant Program in an amount not to exceed \$20,000."

Which was read.

Also,

Bill No. 712

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lana M. Byer for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative the bills passed finally.

Also,

Bill No 764

A Resolution entitled, "Resolution providing



for the issuance of a warrant in favor of Pittsburgh Legal Journal, in the amount of \$818.00 for advertising costs of the automobile sale held on Wednesday, March 19, 1980, without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 828 Report of the Committee on Public Works for April 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 689

A Resolution entitled, "Resolution granting unto Duquesne Light Company, 435 Sixth Street, Pittsburgh, Pennsylvania 15219, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, a 12" gas line with locked shut-off valve, protected by (4) 6" concrete filled steel posts on a portion of the sidewalk of right of way of Etna Street

in the Second Ward of the City of Pittsburgh."

Which was read.

**Michelle Madoff:**

On Bill No. 689, I am a little confused, I don't know why I didn't catch it in the agenda on Wednesday. It says Duquesne Light and it says a 12" gas line. Is that protection around the gas line or is Duquesne Light going to have a gas line?

**Mr. Coyne:**

I'd have to take a look at the bill, I'll have to find out.

**Michelle Madoff:**

I don't think we should hold it up but would you get me clarification because I always thought Duquesne Light dealt in electric lines. It could be a protecting box that they have to put in around a gas line, I don't know, but it doesn't make sense.

**Mr. Perry:**

They are the owners of Allegheny County Steam Heating Company and that is why it reads gas line.

**Michelle Madoff:**

Wait, wait, wait, that even becomes more interesting. If this is the sub-division of Duquesne Light's Allegheny Steam heat which is about to go both bankrupt and kaput —

**Mr. Stone:**

They want to fix what they have.

**Michelle Madoff:**

Yes, I presume that — it isn't a gas line, I guess it is a steam heat line, and it is an energy line. It is just sort of inconsistent that —

**Mr. Stone:**

We are giving them authority to go into our area so that they can fix their pipe.

**Michelle Madoff:**

But I guess it is a steam heat line, not a gas line.

**Mr. Stone**

Whatever it is.

**Michelle Madoff:**

Although it might be gas because they are converting one of their plants from oil to gas, that's possible.

**Mr. Perry:**

It is a gas line.

**Michelle Madoff:**

That must be what it is Bill, that is the conversion of one of the two facilities from oil to gas, to natural gas. Will you check that out?

**Mr. Coyne:**

Okay.

Also,

Bill No. 750

A Resolution entitled, "Resolution amending Resolution No. 1214, effective December 31, 1979, entitled, 'A Resolution providing for a Contract or Contracts for repairs to the Stanton Avenue Retaining Wall (PW 78-22); and providing for the payment of costs thereof.'"

Which was read.

Also,

Bill No. 751

A Resolution entitled, "Resolution amending

Resolution No. 79, effective February 22, 1980, entitled, 'A Resolution providing for a Contract or Contracts authorizing Reconstruction of Galupe Drive Sewer; and providing for the payment of costs thereof', by increasing the project allocation to Ninety Thousand (\$90,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 829 Report of the Committee on Planning, Housing and Development respectfully returns herewith the following resolutions with an affirmative recommendation.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 585

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Inc., for the establishment of a Neighborhood Revitalization Office in Oakland for the implementation of the residen-

tial renewal work program as contained in the Oakland Planning Study."

Which was read.

**Mr. Givens:**

Mr. President, I would like my remarks on Bill No. 585 from Wednesday incorporated into the minutes.

**MR. GIVENS REMARKS ON BILL  
NO. 585 FROM THE MEETING OF  
WEDNESDAY, APRIL 30, 1980:**

**Mr. Givens:**

I don't mind giving a one-shot deal to any neighborhood for organizational purposes, but I feel that we have almost, and I think your Planning Department has so indicated, 64-some identifiable neighborhoods within the City of Pittsburgh; and if each neighborhood comes in and requests from our Community Development Block Grant Funds a specific amount of money to help their particular jurisdictional area for neighborhood revitalization, then I don't know. We are going to have all neighborhoods with all big teeth and no pocketbook to sustain them.

I don't mind any organization, that we give seed money to get started, organizational structure; but my philosophy in neighborhoods is that neighborhoods in working with government should be on a voluntary-type basis. Otherwise it gets so far out of hand, then you have to pick which neighborhood you are going to distribute this money to, because there is only so much in the pot; rather than going into a neighborhood just to staff the particular neighborhood.

The Bloomfield/Garfield was a one-shot deal, that I can recall. They wanted X amount of dollars to clean up the lots in their particular neighborhood and try to keep them clean by some mechanism of fencing or grading or something like that, and that was a one-shot deal. I have to

agree with you, if it is a one-shot deal, I'm all for it; but when you come in and you say, "We're going to fund this neighborhood organization," now, it gets its roots, its tentacles, they are set, and then all of a sudden each year they keep on coming back, and other neighborhoods will come in and start growing. If they are to use certain moneys in a sort of pilot where there is a community project, cleaning lots where the community is involved itself, then I have no objection to it.

If it's a one-shot deal, I'll go along with that this particular year, but if it comes up next year, I'll be on record right now as saying I will not approve it, because I feel it's a one-shot deal. Maybe for two years might be fine.

Also,

Bill No. 669

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with Pittsburgh Neighborhood Alliance to extend term of original agreement from October 19, 1979 to December 31, 1980, and to expand 'Scope of Work' to include administrative costs for providing 'Technical assistance to various neighborhood groups' who wish to sponsor 6 Year Development Program/Budget meetings for City."

Which was read.

Also,

Bill No. 670

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the Urban League of Pittsburgh, Inc., for City-wide housing counseling and housing information services to City, extending term of Original Agreement (#23449-F of August 15, 1978) from April 30, 1979 to July 31, 1980."

Which was read.

Also,

Bill No. 703

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for construction of a basement and three-story building and extension to the existing Magee-Women's Hospital building on property bounded by: FORBES AVENUE, HALKETT STREET, THE BOULEVARD OF THE ALLIES and CRAFT AVENUE, and a temporary parking facility located at the southwest corner of FIFTH AVENUE and CRAFT AVENUE on 75,750 sq. ft. of land having 164.27 ft. of frontage on FIFTH AVENUE and 230.73 ft. of frontage on CRAFT AVENUE. The applicant is Magee-Women's Hospital and the properties are zoned 'I-C' Institutional-Civic, 'R4' Multiple-Family Residence and 'M2' Limited Industrial Districts, 4th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 830 Report of the Committee on

Supplies for April 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 694

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of portable monitor defibrillator units for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 695

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of drafting equipment for the Department of Water and for the payment thereof."

Which was read.

Also,

Bill No. 696

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire hoses for the Department of Fire, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 831 Report of the Committee on Parks and Recreation for April 30, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 698

A Resolution entitled, "Resolution providing for a contract or contracts with a band leader or band leaders for personal services in conjunction with the 1980 music program and providing for the payment of the costs thereof. Payments shall not exceed \$25,000.00 chargeable to and payable from Code Account 1833, Concerts, Bureau of Recreational Activities, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 699

A Resolution entitled, "Resolution providing for an agreement or agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by the Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program; providing for the payment of the City's share of the cost; and providing for the deposit of funds."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 832 Report of the Committee on Lands and Buildings for April 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 652

Resolution repealing Resolution No. 422, approved 5/16/77 which authorized the sale of property in the 25th Ward on Compromise Street designated as Block 23-D, Lot 238 to Vivian and James Christopher for the sum of \$150.00. Hand money in the amount of \$100.00 to be returned. (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 692

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution 1038, effective January 6, 1977, as amended by Resolution 261, effective April 3, 1979, entitled, 'Resolution adopting the 1977 Capital

Budget allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds' by increasing funds for the Department of Lands and Buildings."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 693**

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**Mr. Flaherty:**

I move to amend Bill No. 693, Item (D) by deleting the words "Joint tenants with the right of survivorship, but not as tenants in common".

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

One question, does anybody know where Crucible Street is, I have been trying to find out.

**Mr. Robinson:**

It's in the 28th?

**Mr. Robinson:**

It's in the West End, it is one of the main streets in the West End near Steuben.

**The Chair:**

Is there any discussion on the bill, as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

## **MOTIONS AND RESOLUTIONS**

**Mr. Robinson** presented

**Bill No. 833**

WHEREAS, the Humane Society of the United States of America has long been in the forefront of national efforts to provide for the human treatment of all animals, domesticated and wild; and

WHEREAS, the Western Pennsylvania Humane Society, Animal Rescue League,

Animal Friends, and other animal welfare agencies have meritoriously served the greater Pittsburgh area; and

WHEREAS, their efforts have produced substantive legislation at both the state and local level relative to Animal Control; and

WHEREAS, they continue to work cooperatively with public officials, concerned citizens and professionals in the field of animal control; and

WHEREAS, animal lovers are indebted to them for their dedicated endeavors and long years of service,

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of Council on behalf of the residents of the City of Pittsburgh do recognize the week of May 5 through May 12, 1980 as "BE KIND TO ANIMALS WEEK" and pledge our support to their efforts.

Which was read.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, if I might, Mr. Robert Hickman who is the President of the Western Pennsylvania Humane Society is here. I would like to have him come forward to accept the gold seal copy of this resolution and perhaps make a couple of comments.

**Mr. Hickman:**

I haven't seen so many happy faces — Sophie, it's a surprise to see your happy face; it's a lot different than it is in court. But we are very happy about receiving a copy of this resolution. I thank this Council and particularly Mr. Robinson who has been dealing directly in trying to make this a better environment for dogs and cats.

I know I met with Mr. Robinson's committee several times. We have tried to help him as much as possible. It may interest you that we had a law when these shelters were first started. Remember, around Easter there would be little chickens and rabbits in the windows? The kids would buy them and take them home and the kids would find out that they couldn't keep their little pets because they would either die or have their legs broken, something of that sort, but in 1974 we had a law passed and this won't happen now.

I am very much concerned with this dog control because of the communities that are overpopulated with these stray dogs and cats. We have three shelters, one on the Northside, one in Ligonier and one in Elizabeth Township. We handle about 18,000 animals in the Pittsburgh area and that is a controlled number.

I find it necessary to make these few remarks about these animals. We have a neutering service for the male dogs and the female dogs can be spayed. If the City ever gets money for this, maybe they could have a low cost neutering service for the people who don't want their animals to add to the population.

**Michelle Madoff:**

I want to ask you a question Mr. Hickman. Of the services that you have, is there any weekend services for injured animals, or is there a 24 hour service? I had a number of calls about injured animals and where they could be taken. There is one incident that happened to a dog and his life could have been saved if there was someplace they could have taken him over the weekend. I don't want to get into the details because it makes me very sad.

**Mr. Hickman:**

We solved that problem, we have a building on Western Avenue that renders emergency and medical services to animals. This emergency service was organized by a very good veterinarian, Dr. Nicholas and

his staff that works under him, for injured animals that need emergency and medical care. It runs from 8:00 in the evening, all night and Saturdays, Sundays and holidays.

**Michelle Madoff:**

Are the police officers aware of this?

**Mr. Hickman:**

Yes, I am sure that they are aware of it, but this is a privately run operation.

I would like to thank you again for the opportunity to be here and for the gold seal resolution.

**Mr. Robinson presented**

Bill No. 834

WHEREAS, the economic condition in the United States of America has created high inflation and joblessness; and

WHEREAS the youth of this Nation, particularly native Americans and the poor are severely handicapped in the employment market and in enjoying the economic fruits of America; and

WHEREAS, inner-city youth suffer from unemployment at the rate of approximately seventy percent; and

WHEREAS, concerned persons in the public and private sector will join together for a "National Youth Pilgrimage for Jobs, Peace and Justice" in Washington, D.C. on May 17, 1980.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of Council on behalf of the residents of the City of Pittsburgh, encourage positive and substantive efforts to reduce inflation, decrease unemployment and provide decent employment opportunities to this Nation's youth.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. Thomas Howe, Recruitment Officer of the Greater Pittsburgh Mobilization Headquarters for the local march on the 10th will accept the gold seal resolution and maybe enlighten Council on their program and as to our participation.

**Mr. Howe:**

I would like to thank City Council for this resolution. We are very much, in fact, going to make our march in Washington. We would like to thank the City and the County for their efforts.

**Mr. Givens:**

Mr. President, I would like to say two things here. I would like Doc Fielder and maybe some of the department heads to come to Council this Wednesday for a post agenda item concerning the vacant lots in the East Liberty area and the field trip and what can be done.

**The Chair:**

I would like to see that happen.

**Mr. Givens:**

I would also like someone from the Mayor's Office here on Wednesday for the post agenda concerning the No. 9 Fire House closing down in the Lawrenceville area of the City. No communication has come to this Council concerning this and there is no reason for it. It has been closed for two or three weeks; maybe longer than that. We are supposed to be servicing the new St. Margaret's Hospital from that and we are requested to service them.

**Michelle Madoff:**

I want to direct us to another matter. It is not an item for the post agenda.



I happened to be in Mt. Washington on Saturday morning. I came up a street, a small narrow street that had parking on both sides — I live on a small private street and we don't have parking on both sides, if there was ever a fire up there and a fire engine had to come up that way they would never get up that street at all.

Another thing. I got a call from a lady this past weekend and she informed me that she was bidding on some stack chairs from the Civic Arena, and if she bid a small amount that she would be getting the chairs. Well, she was told that she would not be getting the chairs and that someone else would be getting those chairs.

**Mr. Stone:**

That has nothing to do with this meeting.

**Michelle Madoff:**

I am getting to the point. Anyway, she said she called concerning the chairs. I believe it was 600 chairs — she was told that the reason for her not getting the chairs was because the Civic Arena is selling to a private company. It is my understanding that there is a plan to sell the facility to Mr. DeBartollo and I understand that Mr. Matter is engaging in these negotiations. Shouldn't Council be informed?

**The Chair:**

We have a member of the Authority here, Mr. Robinson.

**Mr. Robinson:**

First of all the Civic Arena is not being sold to a private company. The laws do not provide for the transfer of that facility by way of sale to a private individual. If the Arena were to be turned over to Mr. DeBartollo, it would be some sort of a lease agreement.

The Board of Directors has the power, without the approval of Council or the

Mayor, to initiate a lease agreement with a private individual.

If Mr. Matter or anyone else on the Board of Directors is negotiating for the lease of the facility or the sale of the facility, they are doing so without the official authorization of the Board.

The Board of Directors consists of David Matter who is a member, Walt Harper, Secretary and Vice Chairman, Scott O'Donnell, Member, Robert Dickey, Chairman and myself, Treasurer.

I am sure that given the community implications of a lease agreement with a private individual or corporation, that the Council, the Mayor and the County Commissioners would be informed and their support would be sought.

**Michelle Madoff:**

You say they don't have to come before Council?

**Mr. Robinson:**

The Board has the power to lease the facility and that arrangement does not have to be approved by Pittsburgh Council. The Board itself has the power to do that.

**The Chair:**

I recall that being stated before.

**Michelle Madoff:**

On another item Mr. President, I got a call from a woman saying that her husband, a minority contractor, was supposed to be paid for doing some work, tearing down this house that he wasn't supposed to tear down. Anyway, this company was supposed to pay him. Well, his wife called a number of times concerning the check. She was told that the check had been sent out and they never received it. Every time she called she was told the same thing. She could have told them to put a stop on the check until

she got it, but it turned out that they never sent the check out to this contractor.

We should have them come forward and let this company know that we will be watching them step by step to see that this man gets paid. This has happened before and we should let these different companies know that we will be watching them to make sure they give these people what they are entitled to.

**Mr. Stone** moved to excuse **Mr. O'Malley** for absence from this meeting.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Is this "Be Kind to Animals Week"?

**Mr. Robinson:**

Yes it is.

**Michelle Madoff:**

Does that include the ones in Council?

**Mr. Robinson:**

That includes all animals.

**Mr. Givens** moved to approve the minutes of Monday, April 21, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, May 12, 1980

No. 19

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't City Clerk

Pittsburgh, Pa.  
Monday, May 12, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale (Pres't)

#### ABSENT:

Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 835 Resolution granting unto the estate of Elizabeth R. Butler, 117 Benton Avenue, Pittsburgh, PA 15212 its successors and assigns, the privilege and license to con-

tinue to maintain and use at its own cost and expense, for the duration of the structure, that portion of said structure (1117 Benton Avenue) encroaching on Weitz Way in the 27th Ward of the City of Pittsburgh.

Also,

No. 836 Resolution repealing Resolution No. 790, effective August 22, 1979, entitled: "AMENDING Resolution No. 241 of 1978, as amended by Resolution No. 828 of 1978, by providing an additional \$20,000.00 for Tenant Work at the Pheonix Hill Shopping Center."

Also,

No. 837 Communication from Louis R. Gaetano, Director, Department of Public Works, submitting traffic regulations to be instituted according to law on various thorough-fares in the City of Pittsburgh for a trial period of sixty (60) days beginning June 2, 1980.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 838 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh in accordance with Act No. 514 of 1947, as amended, and providing for the forfeiture of hand money.

Also,

No. 839 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at

tax sale in accordance with Act No. 514 of 1947 as amended.

Which were read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 840 Resolution authorizing the issuance of a warrant in favor of Chemply, Inc. in the amount of \$6,964.82 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law.

Also,

No. 841 Resolution providing for the issuance of a warrant in favor of Arthur C. Page Associates, Inc. in the amount of \$2,500.00 for the purchase of an aerial truck without previous authority of law.

Also,

No. 842 Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$17,800.95 for the emergency purchase of heating and fuel oil for the Pittsburgh Zoo without previous authority of law.

Also,

No. 843 Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$6,861.23 for the emergency purchase of tires for City vehicles without previous authority of law.

Also,

No. 844 Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$1,040.00 for emergency change-over of tires on new leased refuse trucks without previous authority of law.

Also,

No. 845 Resolution authorizing the issuance of a warrant in favor of Allied

Chemical Company in the amount of \$35,276.41 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law.

Also,

No. 846 Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$6,032.45 for the emergency purchase of No. 2 Heating Oil for the Pittsburgh Zoo without previous authority of law.

Also,

No. 847 Resolution providing for the issuance of a warrant in favor of Duncan Industries in the amount of \$31,974.57 for the purchase of parking meter parts and equipment furnished to the City of Pittsburgh without previous authority of law.

Also,

No. 848 Resolution providing for the issuance in favor of Firestone Stores in the amount of \$27,029.89 for the purchase of tires and tubes furnished to the City Garage without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 849 Resolution changing the name of Morningside Field at the corner of Antietam Street and President Way in the 10th Ward of the City of Pittsburgh to Joseph B. Natoli Field.

Which was read and referred to the Committee on Parks and Recreation.

Michelle Madoff presented

No. 850 Resolution providing for a contract or contracts for the relay of undersized water lines serving fire hydrants on various streets; and providing for the payment of the cost thereof.

Also,

No. 851 Communication from Richard M. Consentino, Director, Department of Water, requesting interim approval of payment of \$5,000.00 for purchase of two sewage ejector pumps for removal of residue from clarifier at Water Treatment Plant.

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 852 Resolution authorizing the issuance of a warrant in favor of Graybar Electric Company, Incorporated, in the amount of \$533.30, in payment for work performed at Cowley-Goettman Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 853 Resolution authorizing the issuance of a warrant in favor of Zangrille Plumbing Co., in the amount of \$574.43 in payment for work performed at Banksville Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 854 Resolution authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$775.00 in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 855 Resolution authorizing the issuance of a warrant in favor of Domenic Parente Contractors in the amount of \$3,211.03 in payment for work performed on the Bituminous Paving Contract, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also

No. 856 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son inc. In the amount of \$1,984.32 in payment for work performed at Homewood Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 857 Resolution providing for an Agreement or Agreements for professional services in connection with the design of Volunteers Field expansion and providing for the payment of the cost thereof.

Also,

No. 858 Resolution providing for a Contract or Contracts for Electronic Building Security Systems for various City Park Facilities and providing for the payment of the costs thereof.

Also,

No. 859 Resolution providing for a contract or contracts or use of existing contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof.

Also,

No. 860 Resolution providing for the

acceptance by the City of Pittsburgh from the School District of Pittsburgh of certain property in the 15th Ward of the City of Pittsburgh, known as Gladstone Field, for so long as it is used for public park purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses, and providing for the payment of the same.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 861 Communication from Robert J. Coll, Jr., Superintendent of Department of Police, requesting permission for Assistant Superintendent Mills to attend Fourth National Organization of Black Police Executives Convention, Inglewood, California, June 22-26, 1980, at cost not to exceed \$700.00, payable from Code Account No. 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 862 Resolution providing for an agreement with Saint Vincent DePaul Society for the renovation of the interior and exterior of the existing facility located at 2005 Wyandotte Street, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 863 Resolution authorizing issuance of a warrant in the amount of \$2,370.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of 2½ story frame dwelling located at 5222 Broad Street, Ward 10 without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 864 An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, Chapter 1065, by adding a new Section 1065.13 entitled "Smoke Detectors".

Also,

No. 865 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Mary Reilly and Joseph Matthews, to attend Region III Energy Conference, Baltimore, MD, May 27-30, 1980, at cost not to exceed \$625.00, payable from HD 79-08.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson for Mr. Stone presented**

No. 866 Resolution amending a portion of Resolution No. 139 approved March 6, 1980, entitled, "Providing for an agreement or agreements with Abraxas Foundation, Inc., Calliope House, Inc., Goodwill Industries of Pittsburgh, Housing Facilities, Inc., Metropolitan Pittsburgh Public Broadcasting, Inc., Neighborhood Legal Services, Pittsburgh Architects Workshop, Pittsburgh Metropolitan Stage Company, Pittsburgh Opportunities Industrialization Center, Inc., Pittsburgh Regional Library Center, Stanton Heights Civic Association, United Cerebral Palsy Association of the Pittsburgh District, United Mental Health, Inc. and University

of Pittsburgh, Division of Theatre Arts for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read and referred to the Committee on Finance.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 867 Resolution providing for the issuance of a warrant to John P. Kelly in the amount of \$7,000.00 in settlement of claim for overtime and vacation entitlement, and providing for the payment thereof .

Also,

No. 868 Resolution providing for the issuance of a warrant to William J. Gilmore in the amount of \$7,000.00 in full settlement of claim for overtime and vacation entitlement, and providing for the payment thereof.

Also,

No. 869 Resolution providing for an agreement or agreements with United Methodist Church Union for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof.

Also,

No. 870 Resolution authorizing an agreement or agreements with Coopers and Lybrand located at 600 Grant Street, Pittsburgh PA, for professional services in connection with providing "enhancements" to the existing automated accounting and re-

porting system for Capital Funds and Community Development Funds of the City of Pittsburgh.

Also,

No. 871 Resolution providing for an agreement or agreements with Walter H. Drane Company for professional services in connection with the indexing, preparation of formats, printing and other related work, of the Pittsburgh Code and one (1) supplement thereto, as part of the implementation of Section 325 of the Pittsburgh Home Rule Charter; and providing for the payment of the cost thereof.

Also,

No. 872 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Messrs. Cameron and Herman, to attend Greater Pittsburgh Labor Management Seminar, Pittsburgh, PA, May 28, 1980, at cost not to exceed \$50.00, payable from CETA Trust Fund.

Also,

No. 873 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission for George Monroe and James Johnson to attend EEOC Training Session, Washington, D.C., June 9-13, 1980, at cost not to exceed \$700.00, payable from EEOC Trust Fund, Commission on Human Relations.

Also,

No. 874 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission for Stephanie Haugan and Donna DiLeonardo to attend EEOC Training Session, Washington, D.C., June 16-20, 1980, at cost not to exceed \$700.00, payable from EEOC Trust Fund, Commission on Human Relations.

Also,

No. 875 Communication from John E.

Gabriel, Executive Director, Commission on Human Relations, requesting permission for Sofronia Harris and Paul Klein, to attend EEOC Training Session, Washington, D.C., June 23-27, 1980, at cost not to exceed \$700.00, payable from EEOC Trust Fund, Commission on Human Relations.

Also,

No. 876 Communication from Mayor Richard S. Caliguiri, Mayor, requesting permission for George Whitmer, to attend U.S. Conference of Mayors Annual Conference, Seattle, Washington, June 7-11, 1980, at cost not to exceed \$975.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 877 Communication from John E. McGrady, City Controller, submitting Audit Report of the Distribution Division, Domestic Service, Department of Water, for the period from October 1, 1978 to September 30, 1979.

Also,

No. 878 Communication from John E. McGrady, City Controller, submitting Audit Report of the Firemen's Relief and Pension Fund of the City of Pittsburgh for the period from June 1, 1978 to May 31, 1979.

Which were severally read and referred to the Committee on Finance.

#### **The Chair:**

Michelle you will be sad to know that Mr. Stone will not be with us the rest of the week, he is in San Diego with the National Association of Regional Councils.

**Michelle Madoff:**

Did you say I would be sad? Really, I've got my crying towel.

Mike, on that bill introduced today on smoke alarms, I want to be sure and I

reminded you, that Charlie Lewis gets a copy of the bill that I have introduced, the existing bill in its draft that is being proposed by the Building Code in its draft form and the existing bill as it now reads so that he will come to Council a week from Wednesday prepared to discuss it. I want to get to him real early.

#### **REPORTS OF COMMITTEES**

**Mr. Robinson for Mr. Stone presented**

No. 879 Report of the Committee on Finance for May 7, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 777**

A Resolution entitled, "Resolution providing for the issuance of a warrant to Betty Hoover, Administratrix of the estate of Joseph L. Thompson, deceased, et al., in the amount of \$1,000 in full settlement of claim for personal injury."

Which was read.

Also,

**Bill No. 797**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Foss Ford, Inc., in the amount of \$1,715.73 for the emergency purchase of a Tulsa Winch without previous authority of law."

Which was read.

Also,

**Bill No. 798**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mack Trucks, Inc., in the amount of \$10,830.22 in payment for the emergency



repair work furnished to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 799

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc., in the amount of \$402.30 for the emergency purchase of parts for a cleaning machine furnished to the City Garage facility without previous authority of law."

Which was read.

Also,

Bill No. 800

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sol Neft Police Uniforms in the amount of \$2,896.93 for the purchase of Police Uniforms without previous authority of law."

Which was read.

Also,

Bill No. 808

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Zurawsky & Associates in the amount of One Thousand and Eighty Five (\$1,085.00) Dollars in payment for stenographic reporting services furnished for the benefit of the City in connection with Zoning Board of Adjustment hearings; and providing for the payment thereof.

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 880 Report of the Committee on Public Works for May 7, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 752

A Resolution entitled, "Resolution further amending Resolution No. 675, approved August 16, 1976, as amended by Resolution No. 747, approved August 16, 1977, as amended by Resolution No. 1020, approved October 24, 1977, as amended by Resolution No. 4, approved January 31, 1978, as amended by Resolution No. 725, approved June 30, 1978, as amended by Resolution No. 827, approved July 31, 1978, as amended by Resolution No. 1333, approved November 27, 1978, as amended by Resolution No. 21, approved January 17, 1979, as amended by Resolution No. 273, approved March 29, 1979, entitled, 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances, providing for execution of pay-

ment vouchers on Letter of Credit and for certification of authorized signatures, creating a special trust fund in connection with the project and providing for the deposit in a bank account' by transferring Forty Two Thousand Eight Hundred Thirty Eight Dollars and Eighty Two Cents (\$42,838.82) from LPWEA Trust Fund to PW 77-32, PR 77-25 and WD 77-15."

Which was read.

Also,

Bill No. 753

A Resolution entitled, "Resolution amending Ordinance No. 145, approved April 9, 1973, entitled, 'An Ordinance providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation for the construction of Legislative Route 70, Section 36 T (TOPICS), and providing for the payment of the City's share of the cost thereof.'"

Which was read.

Also,

Bill No. 754

A Resolution entitled, "Resolution amending Ordinance No. 212, approved April 30, 1973, entitled, 'An Ordinance providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for the improvement and construction of Legislative Route 257, Section 27 T (Intersection of Steuben Street, Ingram Avenue and Woodmere Drive); Legislative Route 246, Section 37 T and Legislative Route 76, Section 43 T (TOPICS), and providing for the payment thereof; also, authorizing an Agreement between the Commonwealth of Pennsylvania and the City of Pittsburgh for the credit to the City of Pittsburgh of Three Thousand Nine Hundred Sixty One Dollars and Sixty Four Cents (\$3,961.64), which represents expenditure by the City of Pittsburgh for the purchase and storage of traffic and signal equipment to be used within the limits of the project', by increasing the

project allocation by Twelve Thousand Sixty Six Dollars and Eight Cents (\$12,066.08)".

Which was read.

Also,

Bill No. 755

A Resolution entitled, "Resolution granting unto Mr. Joseph Lumpkins, 409 Alpine Avenue in the Twenty-Fifth Ward of the City of Pittsburgh, his successors and assigns, the privilege and license to continue to maintain and use, at his own cost and expense, for the duration of the present structure, that portion of Alpine Avenue (Front Steps) encroaching on Alpine Avenue."

Which was read.

Also,

Bill No. 756

A Resolution entitled, "Resolution amending Resolution No. 837, approved September 20, 1979, effective September 26, 1979, entitled, 'A Resolution providing for a Contract or Contracts for Traffic Signal Installation Various Locations (PW 79-23); and providing for the payment of costs thereof', by allowing for payment to existing contracts."

Which was read.

Also,

Bill No. 757

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to issue a permit to South Side Hospital to grade and pave the unimproved portion of Idaho Way from Josephine Street to Nebo Street in the Sixteenth Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson** presented

No. 881 Report of the Committee on Planning, Housing and Development for May 7, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 429

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing from 'M3' Light Industrial District and 'R4' Multiple-Family Residence District to 'I-M' Institutional-Medical District all that certain property bounded by: JANE STREET, a line extending from Jane Street to Harcum Way located 178± feet parallel to and east of the center line of S. 20th STREET; HARCUM WAY; the westerly boundary line of Block 12-K. Lot 350 in the Allegheny County Block and Lot System; MARY STREET; S. 21st STREET; EDWARD WAY; the former PENNSYLVANIA RAILROAD CO. right-of-way line; the easterly boundary line of Block 12-N, Lot 86 in the aforesaid System; MARY STREET AND S. 20th STREET, 17th Ward."

Which was read.

Also,

Bill No. 430

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A-8 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for construction of a new five-story Hospital Facility and a five-story Parking Garage to South Side Hospital on property zoned 'I-M' Institutional-Medical District fronting on MARY STREET; JANE STREET; SOUTH 21st STREET; and SOUTH 20th STREET, 17th Ward."

Which was read.

Also,

Bill No. 769

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; Resolution Nos. 252, 308, 509 and 706 of 1979; and by Resolution No. 351 of 1980, entitled, 'Providing for the filing of an Application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to decrease line item HD-78-15 'Inspection Related to Home Repair Loan Program, Salaries' (Project #4-15-10-0025-78-14-78-15) from \$210,000.00 to \$136,953.89 and further, to decrease line item CP-78-04."

Which was read.

**Michelle Madoff:**

A couple of questions and I'd like some clarification. Clarification, first of all — is it mandatory, or is it been the rule of Council that whoever is the head of Housing and Development then would sit on the URA Board?

**The Chair:**

Not really, no. It is by appointment of the Mayor. Richard Givens was appointed when he was the Chairman of that Committee, but that wasn't the reason why. It may have had something to do with it.

**Michelle Madoff:**

My understanding, when I first came to Council, is that he was serving as a member of Council because that was his expertise.

**The Chair:**

No.

**Michelle Madoff:**

Okay. Now I want to get to the issue—

**The Chair:**

No doubt, that is the reason he was selected, but I am just saying it is not a must.

**Michelle Madoff:**

Okay on Bill No. 769, I took the bill home — with reference to the moneys for the Loop, the Reduced Fare Bus Loop. I want to state before I continue, that I am completely, Mr. Robinson, in support of having that Loop provided for the people who desperately need it and the money has to be available one way or another, not only this year, but in the future. But I have some questions — I got hold of the bill and when I had some time, and you notice that so many items and he had six pages of items, and I compared the previous to the new and we refer to it as taking it from CP78-04 without saying what that is, etc., etc. HD78 without telling what it is. In looking it over we have gone from the \$210,000 to \$136,000 on Inspection, related to Home Repair Loan Program Salaries.

We had said that we would not touch salaries, of course this is Capital, not Op-

erating costs but even so I have some great concerns based on some of the hearings, I think both you and I attended in the Manchester and other areas, that there are programs that we desperately need inspection of the home programs — are we going to leave ourselves short in that account?

Also on the other source of funding, we went from \$191,829 to \$130,000. That was the \$60,000 and the \$73,000 that we are talking about that made up the difference in the bus loop. We are taking the money from Community Development Administration Planning Department, Salaries, City Treasurer's Sales Administration Costs. How will it leave us, \$60,000 short, how will we function there?

My question is, why didn't we go to CC78-01, the Unspecified Local Options and Contingencies which is on, I think page 7?

For the benefit of the Councilmembers, we took the money from two other accounts, both Salaries and vital committees and added it where we needed it, but I am wondering if we could have found the money elsewhere. I could be wrong, I'm just curious.

**Mr. Coyne:**

Mr. President, usually when we have an item in the Capital Development Budget, CD Budget, that is backlogged, in other words, all the money isn't being used for the intended purpose at the time.

**Michelle Madoff:**

Are you talking about unencumbered dollars?

**Mr. Coyne:**

Well, I am talking about the Home Improvement Loan Program, for instance — you know, while we have a lot of applications, those applications aren't being processed, that money is laying there and here is an opportunity to utilize it and replace it when the additional funds come in.

**Michelle Madoff:**

Bill, my concern stems from the fact that I spent most of Thursday afternoon at the URA office complaining about exactly that situation. I've got contractors calling my office saying, "I'm ready to go, the weather is fine, I haven't gotten my contract approved." Its taking long to process. Salaries mean people who are doing it. How can you take that money away?

**Mr. Robinson:**

Mr. President, if I might, to fully understand the City's attempt to fund the Loop Bus Program for an additional year, one would have to look at Council Bill 769, 770, 771, 772 and also refer to last Wednesday's discussion where Mr. Young, our Deputy Director of City Planning who is in charge of our Community Development Program, would explain the difficult nature of trying to put together a package of legislation that would fund that program for another year.

One of the things, perhaps, Mr. Young did not make clear, which Mr. Coyne referred to, was the fact that where funds are laying idle an attempt has been made to utilize them. This was done with full knowledge that the City would be receiving an additional \$2 Million in Community Development Block Grant Funds, which we are now considering. That is the legislation that we held for two weeks which will come up this Wednesday. Some of the money Mrs. Madoff is making reference to is provided for in the new allocation.

**Michelle Madoff:**

In other words you will take it but put it back.

**Mr. Robinson:**

Right, in other words, this was done in anticipation that we would be getting some additional moneys. Now, when that legislation comes back to be considered, it should be taken into mind by all members of Council that I have discussed this fairly

thoroughly with Mr. Young and I did not agree with the manner in which the money is to be re-allocated and I would assume that you and others might have some comments.

I agree with you that our Home Repair Loan Program and some of the other things that are so vital to the City should not be cut short, and if the money has not obviously been put into those categories, then I would hope you would join me in making sure that \$2 Million can be re-programmed in such a way that we are addressing some very crucial needs, one of which being the Home Repair Loan Program.

**Michelle Madoff:**

Bill, would you look at CC78-01, the Unspecified Local Options and Contingencies. Is it possible to take some of the money out of there? That is the City Council fund. If you want to borrow, why don't we borrow this?

**Mr. Robinson:**

Well, I think one of the problems is, and this has been discussed on numerous occasions, and that is, the reason for establishing the Unspecified Local Option Fund was to give Council some better control over Community Development Funds that were not always programmed. One of the concerns of Council has been, at least during the three years that I have been here, is that where moneys are not spent, that we make some attempt to re-program and I think Mr. Young was very sensitive to the fact that Council had been very reluctant to have Unspecified Local Options Fund re-programmed for activities that are ongoing. That is the Loop Bus Program, which is an ongoing program. And, that we would much prefer that the Department look within its own Operating Budget to re-program moneys. That is why we went through this very intricate procedure of putting together four pieces of legislation. I think had we sent a message to him that we would have been willing to take money out of Unspecified Local Options, he would have been

more than happy to help us prepare the legislation but I think he was responding to what he perceived to be our interest, not to touch Unspecified Local Options.

**Michelle Madoff:**

Well, Bill, then if I understand you correctly, see if I make sense, that in the HD78-15, Inspection Related to Home Repair Loan Program, Salaries, you share with me the concern that people who are waiting, and I can give you lists of people who are waiting to just get approval to go ahead with contractors, and the salaries are involved, which pays for staffing, obviously aren't getting out into the field, their major concern of that money will be, you will be watchdogging to see that money gets reimbursed and I certainly would support you. Thank you.

Also,

Bill No. 770

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 43 of 1976, as previously amended by Resolution Nos. 45, 48, 109, 162, 167, 586 and 633 of 1976, entitled, 'Providing for the establishment of program categories for the Community Development Block Grant Program Trust Fund and the Model Cities Program Trust Fund,' so as to decrease the program category 'Urban Redevelopment Authority' from \$8,060,000 to \$7,896,200; and further, to increase the program category 'Unspecified Local Option Activities' from \$1,307,000 to \$1,470,800."

Which was read.

Also,

Bill No. 771

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Model Neighborhood Reduced Fare Bus Loop Project for the period May 1, 1980 through April 30, 1981, in an

amount not to exceed \$310,000.00, chargeable to and payable thereof."

Which was read.

Also,

Bill No. 772

A Resolution entitled, "Resolution providing for a Supplemental Agreement or Agreements with the Port Authority of Allegheny County for the Model Neighborhood Reduced Fare Bus Loop Project decreasing the amount provided thereof from \$296,791.97 to \$262,643.00."

Which was read.

Also,

Bill No. 773

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 774

A Resolution entitled, "Resolution providing for a Fourth Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, amending the Community Development Block Grant Program Cooperative Agreement of 1975 by decreasing the cost thereof and reallocating the amount of \$163,800 from the program category 'Urban Redevelopment Authority' to the program category 1975 CDBG Program Trust Fund, 'Unspecified Local Option Activities'."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty** presented

No. 882 Report of the Committee on Lands and Buildings for May 7, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 760

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Stadium Authority of the City of Pittsburgh for architectural design services in connection with handicapped access improvements to Three Rivers Stadium and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 761

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the design for construction of a new No. 10 Engine Company, West End, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 762

A Resolution entitled, "Resolution amending Resolution No. 282, effective April 18, 1980, entitled: 'Providing for a contract or contracts in connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the cost thereof,' by increasing authorized amount from \$445,000.00 to \$645,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**The Chair** presented

Bill No. 883

Communication from Mayor Caliguiri submitting the name of Robert Zern of 25 N. Gateway Towers to be re-appointed as a member of the Board of Standards and Appeals for a term to expire January, 1983.

Which was read, received and filed.

Also,

Bill No. 884

A Resolution entitled, "Resolution approving and confirming the re-appointment by the Mayor of Robert Zern as a member of the Board of Standards and Appeals for a term to expire January, 1983."

Which was read.

**The Chair:**

May we have a motion to approve this re-appointment rather than wait two weeks?

**Mr. Robinson** moved to approve the re-appointment.

**Michelle Madoff:**

I don't know Mr. Zern.

**Mr. Givens:**

What is his attendance record, did anyone check into that?

**Michelle Madoff:**

Who is Mr. Zern, what is his background? I don't like to vote for somebody I know nothing about without at least having some information on him.

**The Chair:**

I still entertain a motion to approve is there a second?

**Mr. O'Malley** seconded the motion.

**The Chair:**

Is there any discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Mrs. Masloff**

**Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)**

Ayes 7    Noes 1

(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative the re-appointment was approved.

Also,

Bill No. 885

Communication from Mayor Caliguiri submitting the name of Ben Fisher of 154 West Bellefield Street to be re-appointed as a member of the City Development Commission for a term to expire January, 1985.

Which was read, received and filed.

Also,

Bill No. 886

A Resolution entitled, "Resolution approving and confirming the re-appointment by the Mayor of Ben Fisher as a member of the City Development Commission."

Which was read.

**Michelle Madoff:**

I know Ben Fisher very well, he is eminently qualified.

**The Chair:**

Is there any discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the re-appointment was approved.

**Mr. Givens:**

Mr. President, if I could so direct the Chief Clerk, if he could get the attendance records on both those gentlemen I would appreciate it.

**Michelle Madoff:**

It doesn't matter now we already voted for them.

**Mr. Givens:**

That's okay, we can always have a recall.

**Michelle Madoff:**

What are you going to put it on the next ballot to recall?

**Michelle Madoff:**

I would like to refer to Bill No. 760 which was in the Committee on Lands and Buildings today, the handicapped architectural design at the Three Rivers Stadium. I had a phone call from a gentleman who I didn't remember, said he called me last year, same problem, he has a son who is severely handicapped. He has no problem getting him into the building and up the elevator, but he has a great problem getting him out of the Stadium because the parking facilities are so bad that he has to park miles from the main building, I guess he has a ticket in the Allegheny Club so he can see from there, but he cannot leave the Stadium until everybody practically, is gone, because of the parking facility.

Would it be in order to have the nine spaces that had been offered to Council made available as a motion, that Councilmembers would like to see that the Three Rivers Management or whoever is in charge at the Allegheny Club, give those nine spaces to handicapped and those severely handicapped might call in advance and say they are coming and have those spaces dealt through the proper authorities.

**The Chair:**

Well, I don't know if a motion is in order, I don't think we can speak, you or I, for the rest of the Councilmembers, but if they want to give those passes up, if they have them, to handicapped —

**Michelle Madoff:**

Well we don't have them — I presume we don't have them in light of the fact that we didn't accept them, that we are going to have to vote on that whole business with Galbreath. I brought that up before and I don't want to beat an old dog to death.

**The Chair:**

I'd like to say, I think that should be an individual action of each Councilperson if they want to call down there and say give them to a handicapped person.

**Michelle Madoff:**

Well there is a terrible shortage of parking for handicapped people. I am suggesting that since we shouldn't be taking "perqs" particularly in light of the fact that we have to vote and a number of us have already stated we would not accept that, could we have that motion made that Council would urge the Three Rivers Stadium to give those nine spaces to severely handicapped people and let people call in advance and say I am coming to the game and they will assign space one, two, three through nine.

**Mr. Givens:**

Mr. President, if I might interject here,

the Three Rivers Management along with the various clubs, will admit anybody with a proper plate, disabled, to go in and discharge people but they won't let them park there. I think what might be done in the nearest parking to the main gate, and there are several gates you can go into and that is very difficult — I think they should put some handicapped, maybe designated parking spots in the nearest parking to the Stadium itself. I don't think there is anything like that out there that I can recall.

**The Chair:**

You are probably right Dick, and as far as you are concerned and I am concerned, we have already given our passes to handicapped persons, I don't know what other Councilmembers have them or don't have them, that is really not my concern, if they don't have them and they want to call the Stadium to that effect to give them to a handicapped person, I don't see any problem at all, I don't see any problem with a motion, it is just I think sort of embarrassing, I think you put the Stadium, Three Rivers in an embarrassing position, where maybe these spaces aren't available, I don't know.

**Michelle Madoff:**

I don't think it is embarrassing at all. If they are available for nine Councilmen —

**The Chair:**

I know that since they put in the new seats in over there they have had to eliminate forty or fifty parking spaces.

**Mr. Givens:**

"Jeep" who controls the parking lot outside the Stadium? Is that under rental agreement?

**The Chair:**

Well the Stadium Authority tells you its Three Rivers and Three Rivers tells you its the Stadium Authority, so I really don't

know but I can only say this much, with the new seats added, obviously, they are customers and sadly enough come first. They have got to supply passes for those customers and if they have any passes left after the customers and they say they don't, I presume they would be more than glad to give them to the handicapped and I don't presume to speak for those people, I don't know their policy.

**Mr. Givens:**

The Stadium Authority I think is meeting the week after next.

**The Chair:**

I do know that parking is a very grave situation down there, they just don't have enough parking in that inner circle, and obviously with the 40 new private boxes that have been installed, it has made it more difficult, at least that is what they tell me.

**Mr. Givens:**

I think the Stadium Authority is meeting the week after next and they have invited all of the Councilmembers if they wanted to, to come on down, I think that might be appropriate.

**The Chair:**

As I say, again, I can't presume to speak for them, but I am almost sure that any spaces they could provide for the handicapped they would provide, I believe as you said earlier, they do allow them to pull up and get out at either the Allegheny Club or the elevator and then they allow them to be picked up there. This would really serve the purpose.

**Michelle Madoff:**

I am going back to my original point, obviously I didn't make myself clear, you are correct, they allow them to discharge the person and pick them up, but it takes forever because they have to park any-

where they can find spaces. If there are nine spaces available that have been offered to members of Council I think it would be very proper and fitting that we as nine members say, "Thank you but no thank you, please designate those spots for handicapped people", and let that be widely known and let handicapped people who continuously go to the games call ahead and reserve spaces one through nine.

**Mr. Givens:**

If I bring my bus in with all of my V.A. it takes up all nine spaces.

**Michelle Madoff:**

This isn't a laughing matter, Father Coll is very concerned about his sign and I think Mr. DePasquale, you mentioned that you have given a space for the handicapped.

**The Chair:**

Why don't you put it in the form of a resolution.

**Michelle Madoff:**

I make that in the form of a motion, that we ask the proper authorities, is it the Three Rivers Management or the Stadium Authority, I'm not sure what it is now.

**Mr. Coyne:**

Mr. President, this is clearly a responsibility of the Stadium Authority, it is something that if they want to make available to handicapped people they can do it, we have a Board appointed, as the Stadium Authority Board and if that is their will to make handicapped spaces available, but I don't think we ought to be trying to run the parking concession at Three Rivers Stadium from City Council.

**Michelle Madoff:**

I disagree with that Mr. Coyne and I'll tell you why. You know that frequently, from this body, we urge either the State

Representatives or even an independent business to hire minorities, or whatever the situation is, we are not making it mandatory, we are making it in the form of a request. I see no reason why we cannot request that the nine spaces offered to Council be made available for the handicapped, I don't think there is anything wrong with that.

**Mr. Coyne:**

I just think that if an individual member of Council wants to call the Stadium Authority and ask them to do that that is perfectly easy to do.

**Michelle Madoff:**

That is not what I said, I would like to make a motion that those nine spaces offered to Council, that we ask them, would they please offer them to the handicapped, that is my motion, would anyone like to second it? I move that the proper authorities, be it the Three Rivers or the Stadium Authority make available the nine spaces offered to Council to be available for handicapped on a first come first serve basis. Can I have a second on that?

**The Chair:**

You heard the motion, is there a second?

There is no second on the motion.

**Michelle Madoff:**

May I just point out that the Home Rule Charter, 706 says that any member of Council that takes anything of greater value than the general public is subject to recall and that is not on the ballot, that is law.

**The Chair:**

You know what you can do with the Home Rule Charter, everyone else does it with it.

**Mr. Givens:**

Mr. President, I have some matters to bring up. I received a copy of a letter dated the 7th of May from Rege Young which indicates that the CDBG revised guidelines of Neighborhood and Commercial Loan Programs --- I won't go into the entity of the letter itself, but it more or less changes what areas are so designated now as Neighborhood Commercial Loan Program areas. What has happened, rather than this being expanded, Mr. President, it has been contracted meaning there are areas in the City of Pittsburgh which are not under the Commercial Loan Program. I would like to have Rege come up here this Wednesday and explain to us, along with the Director, where they came upon this basis to change this particular area because it will affect many people throughout the City of Pittsburgh where this Commercial Loan will not be available to them in the future.

Although the letter was dated the 7th of May, it was effective on the 1st of May and I just wondered about the people who had put their paperwork in and started processing, as to what happened to this week that they were held in "no man's land".

Also, Mr. President, I continue to receive complaints from the people of the North Side in regard to the Rebekah Home that this Council has appropriated over \$125,000 to rehabilitate. The contractor apparently has not taken over, the Department of Lands and Buildings, Director West indicated he secured the building and I continually receive complaints that the building is not secure ---

**The Chair:**

Weren't they looking into that as a Senior Citizen Home?

**Mr. Givens:**

Yes, that is going to be a Senior Citizen's Center.

**The Chair:**

Did they go any further with it Sophie?

**Mr. Givens:**

The place is being destroyed right now. People are going in and actually doing their business right on the floor itself. There are rummies living in the place and you know, there is a lot to be gained here for us to secure that building. I have asked repeatedly for the Director to do so and I think other members of Council have done likewise and this hasn't been done. So, I would like Director West to come in here Wednesday and tell us what is happening and between now and Wednesday, hopefully, some of us can get together and go over there and look at this Rebekah Home. If it is torched or burned down the \$125,000 that we have appropriated for the rehab of that building and what we wanted it for originally, for the senior citizens, is all going right down the drain.

The third subject Mr. President, and I would like to direct this to the Chief Clerk, to the Treasurer of the City of Pittsburgh who has so indicated that the IRS now is giving 20c a mile for cars that are used in business, or I would assume that would be City business also, for the first 15,000 miles.

If I can recall, the workers of the City of Pittsburgh were limited to 18c a mile ---

**Mr. Perry:**

That's 17c.

**Mr. Givens:**

17c, was it Mike? Okay, so that is an increase of 3c a mile. Plus, this might go back retroactively to 1, January, 1980. I would like the Treasurer to look into that and report back to this Council. Or whichever I assume it would be the Treasurer.

**Michelle Madoff:**

Mr. President, I have several items. I

would like to request that we have a post agenda update from the Law Department, there is going to be a hearing before, I guess it is the Commonwealth Court or the State Court, I'm not sure which one it is, it has already been in the lower court and it is going to a higher court, on the status of the shopping center in Aspinwall. I understand we have tied up potential tax dollars that are worth tremendous amounts of money to the City and there was a lawsuit, the request for proposals were thrown out and it was re-bid and the person who had the lowest bid challenged and there is going to be a hearing in the higher court and I would like an update. I didn't even know this existed since I am new to Council, but I had a developer call me and ask me about the property and it came to my attention.

So, would we have, I guess Mr. DeLuca and Mary Fine or whoever is in the Law Department give us an update and let's make that a month away so they have time to get some information. Let's not rush them on it because the courts don't decide so fast.

Also, I have a letter to Paul Imhoff sent by Mr. Brophy which directs Mr. Brophy and says:

"The attached letter from City Solicitor Mulvihill, Jr. indicates the Bureau of Building Inspection may . . ."

and I don't know why it says "may", it should be must or should,

"act to enforce Section 60109 of the City Code requiring that 'No Smoking' signs be posted in public elevators."

and he goes on:

"Would you please consider this notice that the Code Inspectors, General Inspectors and Senior Inspectors are authorized and directed to enforce this provision of the Pittsburgh Code. Kindly notify all relevant personnel of this policy."

and I would like to have some report, say, three months from now as to what is hap-

pening on that, whether we are having buildings posting those signs. I was in the Clark Building, they don't have it, as you may recall, BOMA took my ordinance and sent it out to all the buildings in the City because elevators are natural air shafts and they were very concerned.

On another matter, the Convention Center, if you read this morning's paper, there seems to be some problem with the feelings of are we getting enough business for the Convention Center. And I found it interesting in light of the fact that I had been at one of our major restaurants in the last couple of weeks at a function and the owner mentioned to me that he felt that the membership of the, I guess it is the Public Auditorium Authority, which covers the Convention Center, right? They are in charge of it, are dealing through the Convention and Visiting Bureau. The Bureau tells me that of the \$125,000 contract, they have only received \$48,000 and that is why they are not able to "bring in the business". The gentleman whose name would be very well known to everybody in Council but I prefer not to mention it and I think he is highly respected, felt that the five members should be expanded to six and that we ought to have somebody in the restaurant business sitting on that particular, on the five member board of the Stadium Authority, Auditorium Authority.

I think it is very important, in light of the fact that we are building a stadium that there is such criticism that we are not getting enough business planned that we as Councilmembers look into that large investment. So, I would hope that we could get, at some time in the near future, the Convention Visiting Bureau and Mr. Long, I guess that is Doug Long of the Convention Center and perhaps Mr. Robinson might want to set up an appropriate meeting at the appropriate time since he is a member of that Committee, I think it is Mr. Dickey, Mr. Robinson, Mr. O'Donnell, Mr. Matter and Mr. Harper.

**Mr. Robinson:**

Mr. President, if I might, unfortunately,

a number of issues relative to the Convention Center and Auditorium Authority have been discussed in the media over the last couple of years, issues which I think are best left to be discussed among the persons who are authorized to set policy for the Auditorium Authority and the Convention Center.

Unfortunately, the persons who are circulating these various stories relative to the amount of money that the Visitors and Convention Bureau are receiving have not been involved in the very arduous process of not only trying to get the facility constructed, that is the Lawrence Center, constructed, but also trying to market that facility. There is rather obviously, a need to sell that facility. The Auditorium Authority has someone assigned to that task and the Visitors and Convention Bureau also is assigned that task. There is some dispute, there has been some dispute as to who should have the major responsibility for promoting, literally selling the facility. It was agreed by the Auditorium Authority that the Visitors and Convention Bureau should shoulder that major responsibility and therefore some concrete contractual relationship should be initiated with them. That relationship has been initiated, a committee on concerned citizens has been established to work along with Mr. John Bosancini of the Visitors Bureau and Mr. Doug Long of the Auditorium Authority to see to it that that facility is sold properly. Unfortunately, the Convention and Visitors Bureau has been unable to meet certain aspects of their contractual relationship and in that light has requested an altering of the agreement. I think that their timing was bad, inasmuch as Mr. Galbreath of the Pittsburgh Pirates also is asking to have his agreement altered. I don't think it is good for public relations for these two entities to be requesting an altering of their agreements — their agreements with the public to perform some specific functions, but by the same token, I think the situation should be handled in a professional fashion and one that is going to ultimately benefit the City.

Specifically, in reference to the Con-

vention Bureau and the Auditorium Authority, the moneys that the Convention Bureau are seeking from the Auditorium Authority to carry out what they perceive to be their rightful function are moneys that are under the control of the Auditorium Authority, not under the control of the Convention Bureau. These are not moneys that are designated for the Convention Bureau. These are moneys that are generated from the Hotel Motel Tax imposed by Allegheny County for use by the Auditorium Authority. A portion of that money has been made available to the Visitors and Convention Bureau. There is no doubt that they feel that the arrangement that we now have is inadequate, but this has been a historical problem for me, over the last three years, it has been a very painful problem, because while we have been debating the amount of money they should receive, or if they should receive any money at all, the David Leo Lawrence Convention Center has not been completed, nor do we have sufficient booking to make it a worthwhile venture. The City is suffering while those of us who are concerned are still dicker over who should sell these facilities. This issue is being addressed by the Auditorium Authority Board and whether you have 6, 16, 17 or 8 members on that Board, that does not speak to the issue of a signed agreement that both parties agree to, the Visitors and Convention Bureau and the Auditorium Authority agree to, to carry out the promotion of the David Leo Lawrence Convention Center under some very prescribed circumstances. The Convention Bureau has been unable to meet their contractual obligations for whatever reason, and I think if we keep it in that context then we will get to the issue and the issue is how do we get the facility built and how do we get it promoted.

**Michelle Madoff:**

Bill, you would not think then it was out of order for Council at some point to be briefed as to what the plans would be to sell, I presume if they were going to finish it that we ought to be out selling conventions.

Now, this person whose name I won't mention, said that if it were up to him and he served on this body, he would go out into the country and find the number two man serving the number one man who brought in the most conventions and the second man would be hungry, you would bring him in here, he would know where all the convention business is because he worked for the number one man and that that might be one approach that we would take, to find somebody in the country who does deal in conventions, one of the large convention administrators or managers and get his assistance, kind of concept.

I don't know whether that is right or wrong but it makes sense and it might be something that you might want to take back to the body you deal with and see if it has any meaningful input, but I can't see how, with all the proposals we have to build hotels and expand the Strip District and all the things that are going on at the moment, we can, as members of Council, not be right on top of what made the paper this morning as to not selling enough conventions.

**Mr. Robinson:**

I think it is inappropriate.

**Michelle Madoff:**

Inappropriate to be briefed?

**Mr. Robinson:**

It is inappropriate for this Council to interject itself into the internal matters of another legally constituted body and that is what I think you are suggesting.

**Michelle Madoff:**

No, I am suggesting that we be informed.

**Mr. Robinson:**

What I am saying to you, is I think there is another way to be informed without

having Mr. Long and Mr. Bosancini, who obviously view their functions differently, come before this body to discuss a matter that the Auditorium Authority can resolve. This body, the Council of this City cannot resolve this issue.

**Michelle Madoff:**

I am not adverse to going to them, if they invite us to go to a meeting or have a meeting open and say, "Come on over and we'll tell you what's happening".

**Mr. Robinson:**

It might be more appropriate to try to identify those persons who are on this Advisory Committee who are working along with Mr. Long and Mr. —

**Michelle Madoff:**

Are you talking about the 41 person committee?

**Mr. Robinson:**

Pardon me?

**Michelle Madoff:**

The 41 person committee —

**Mr. Robinson:**

I don't know how many people are on the committee to be honest with you.

**Michelle Madoff:**

Forty-one, I spoke with him today.

**Mr. Robinson:**

But I think that committee and the Board of the Auditorium Authority are the appropriate places to discuss this matter. Now there will be a Board meeting the first part of June and I think anybody who wants to be on the agenda to discuss this issue should come to that meeting, I think anyone who wants this issue on the agenda

should relate that information to the Chairman, Mr. Dickey. What I am afraid of is that we will bring to this Council the principles involved, discuss the issue and then find ourselves legally unable to do anything about it. There is a signed agreement between the Visitors and Convention Bureau and the Auditorium Authority that has not been carried out by the Visitors and Convention Bureau. Now we have an attorney, a solicitor, Mr. Robert Brown who belongs to one of the most prestigious law firms in this City and I don't think we ought to do anything to jeopardize any negotiations that he may be having relative to getting this issue resolved.

**The Chair:**

If I may interrupt for one second, excuse me Bill, I don't want to belabor the point, but whose responsibility is it, in all due respect to Mr. Bosancini and Mr. Long, I don't even know that much about convention centers. They know their respective jobs but we are talking about expertise and I think Michelle hit on that, in bringing in people who know how to book shows. Whose responsibility is it to hire that type of person, is it the Authority or is it between Bosancini and Long?

**Mr. Robinson:**

The responsibility for hiring someone to perform the function that you just mentioned is with the Auditorium Authority of Pittsburgh and Allegheny County. The Auditorium Authority decided that the responsibility would be split. Split between the Visitors and Convention Bureau under a contractual relationship and with Mr. Long, who is the Deputy Director of the Auditorium Authority with specific responsibilities for the Convention Center.

I for one believe that much of the problem stems back to the fact that when we originally decided to promote the facility that a mistake was made. The mistake was we did not bring in the experts. I think there was an attempt to pay due respect to the Visitor and Convention Bureau which historically have promoted the City. I think

there was also some attempt to give to Mr. Long, some degree of authority to see to it that that facility was completed and promoted in retrospect, and even though I was not a part of that original arrangement, I think it was a big mistake, I think we should have been honest with everybody and brought in some additional people who had some specific expertise and talent to sell that facility. I think unfortunately, the reason we are in the problem that we are in now, the argument around this contract, whether there is enough money or not enough money, is because we did not originally get the people that we needed that had the expertise.

**Michelle Madoff:**

Mr. President, may I respond? Bill, just so you will know where I am coming from, this was not as a criticism of you as a member or of the two factions, I just — like all of us, we have so many issues we deal with, there are hundreds a week — read this in the paper this morning, and having just had some restaurateur say exactly what Mr. DePasquale just said, and you, yourself have re-affirmed, that maybe there was a mistake, we didn't bring in the experts. But I thought, what is more important to the legislative body of the City, when every year we raise taxes and this is such a great source of revenue that we ought to be on top of it. Whether the proper form is to go there and attend a meeting or whether they come here I would not argue that point I would defer to your judgment. But I think you have done a great service today. Because even by this article in the paper, my even asking the question, I think you have answered a lot of our concerns and you have shed some light on the issue and I thank you for that and I would appreciate if you would give it some thought and then decide how, best, we as Councilmembers can know how it will impact on next year's budget and what you think we ought to do and I'll let that one ride until you advise me.

**Mr. Robinson:**

Let me just respond, first of all, it is



not going to impact on next year's budget at all —

**Michelle Madoff:**

I don't mean next year's, I mean on budgets, that was inappropriate.

**Mr. Robinson:**

If you look at the article carefully and look at some of the other articles over the last few days you will see, at least from the newspaper articles, there is more than enough money in the treasurer —

**Michelle Madoff:**

No, that is not what I meant, I'm talking about Mercantile Tax, Business Privilege Tax, Business that is generated in the City just by conventions coming in.

**Mr. Robinson:**

I don't think that directly relates to the issue that is now before the Board and that is whether or not we have a sufficient attempt to sell the facility. It doesn't have anything to do with these projected taxes and other things you are talking about —

**Michelle Madoff:**

That is where I was looking at it from Bill, that was my interest as a Council person, where are we going to go towards selling these conventions so that ultimately, the City people can benefit from the taxes, that is where I was coming from in case you misunderstood. May I go on to another matter unless someone else has something?

My last item of business today, I received a letter that was addressed to the Honorable President of Council and the members of Council from Mead Mulvihill answering a request that I had made through the City Clerk as to whether the public transit shelters and the Port Authority was responsible for keeping these items clean.

We have now had a letter and I just circulated — I don't know if Mr. DePasquale got a copy, we will see that he gets one, I just handed a bunch out. Could you hand him that copy please.

The letter that I had written to Mr. Maloney which simply states:

"Enclosed is a copy of a legal opinion which we requested from the City of Pittsburgh Law Department regarding the maintenance of transit stops and shelters, especially the removal of litter. As you can see, the City Law Department is quite clear on this subject, it is the responsibility of the Port Authority to maintain these sites in a neat and clean condition, free of litter and debris and in good repair at all times.

We are in the process of trying to impress the need for a clean City on businesses, fast food restaurants and individuals.

I want to assure you that I intend to insure that the City of Pittsburgh does its share too in providing sufficient trash receptacles and services frequently."

I think the message is quite clear that I am hoping that with the cooperation of the City, and I have asked for two years now, that on very busy intersections we have back to back litter cans, we have fast food chains who will provide them, we would have the ultimate say as to where they would be placed and what the artwork would be on the cans, we were told by Jack Ruff that we had cans, it turned out that we didn't have them. The excuse that we take a can out and put McDonalds in front of Arbys doesn't hold water because they put the same one and dump it right at the moment and I think the time has come when the Mayor is finally moving, albeit, because he was so pressured by the business community, to finally enacting the ordinance that we drafted here in Council and raise the penalties to \$300.00 for fines to businesses, that indeed we involve the Port Authority because if the public who

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rides public transportation who says, "My God, the price of my riding may go up a few pennies if I litter or I see someone litter", they will monitor each other at the bus stops and instead of throwing it on the floor, maybe they will hang on to it and put it in the litter can. I just wanted to share that information with Council.

**The Chair:**

Thank you very much.

**Mr. Robinson** moved to excuse Mr. Stone for absence from this meeting.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Monday, April 28, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, May 19, 1980

No. 20

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.  
Monday, May 19, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

#### ABSENT:

Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 887 Resolution amending Res. No. 971, approved Nov. 1, 1979, effective Nov.

7, 1979, entitled, "A Resolution providing for a contract or contracts for the Reconstruction of Robert McAfee Bridge (PW 79-14); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing the project allocation from Two Million Four Hundred Thousand (\$2,400,000.00) Dollars to Two Million Nine Hundred Fifty Thousand (\$2,950,000.00) Dollars.

Also,

No. 888 Resolution further amending Res. No. 1269, approved Nov. 3, 1978, effective Nov. 6, 1978, as amended by Res. No. 1411, approved Dec. 14, 1978, entitled, "A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge and providing for the payment of costs thereof; and providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by amending the title and increasing the project allocation by \$1,200,000.00.

Also,

No. 899 Resolution further amending Exhibit 1 of Res. No. 1350, effective Jan. 1, 1978, as amended by Res. No. 597, effective June 7, 1978, as amended by Res. No. 977, effective Nov. 3, 1978, as amended by Res. No. 1532, effective Dec. 31, 1978, as amended by Res. No. 914, effective Oct. 16,

1979, as amended by Res. No. 306, effective April 25, 1980, entitled, "A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds", by redefining funding sources.

Also,

No. 890 Resolution providing for an agreement or agreements with a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract, and providing for the payment of the cost thereof.

Also,

No. 891 Resolution providing for an agreement or agreements with a Professional Engineering Consultant for Traffic Engineering Services in conjunction with West Carson Street; and providing for the payment of the cost thereof.

Also,

No. 892 Resolution vacating Broadview Street between Woodward Avenue and a point 162.50'  $\pm$  northwardly in the 19th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 893 Resolution providing for the issuance of a warrant to Kirby Electric Services, Inc., in the amount of \$444.60 in payment for extra services furnished for the benefit of the City in connection with No. 8 Police Station Relocation; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Givens** presented

No. 894 Resolution providing for the issuance of a warrant in favor of Doerr

Brothers, Inc. in the amount of \$2,034.00 for emergency repair work furnished to City vehicles without previous authority of law.

Also,

No. 895 Resolution providing for the issuance of a warrant in favor of Classic Arco Service in the total amount of \$450.00 for the emergency towing of City vehicles without previous authority of law.

Also,

No. 896 Resolution providing for the issuance of a warrant in favor of Motorola in a total amount of \$10,472.00 for the purchase of two defibrillators for the Department of Emergency Medical Services without previous authority of law.

Also,

No. 897 Resolution authorizing the issuance of a warrant in favor of Nalco Chemical Company in the amount of \$17,989.71 in payment for the purchase of a chemical furnished to the City of Pittsburgh without previous authority of law.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 898 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of miscellaneous equipment (tune-up equipment, cleaning equipment, etc.) for the Bureau of Automotive Equipment, Department of Supplies, and for the payment thereof.

Also,

No. 899 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of basketball poles and backstops for the Department of Parks and Recreation, and for the payment thereof.

Which were read and referred to the mittee on Supplies.

**Michelle Madoff presented**

No. 900 Resolution providing for a contract or contracts for the replacement of undersized water lines serving hydrants in conjunction with reconstruction of the Radcliff Street Bridge, and providing for the payment of the cost thereof.

Also,

No. 901 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$15,000.00 for the repairs of four chlorinators and two evaporators at Water Treatment Plant.

Which were read and referred to the Committee on Water.

**Mr. O'Malley for Mrs. Masloff presented**

No. 902 Resolution transferring \$78,000.00 from Code Account 44, Workmen's Compensation Fund to STF 2 Account Special Summer Food Service Program, SSFSP.

Which was read and referred to the Committee on Finance.

Also,

No. 903 Resolution providing for agreements, or use of existing agreements, for personal and professional services and for a contract or contracts, or use of existing contracts with the South Oakland Youth League for implementing the 1980 Summer Recreational Cultural Program and providing for the payment thereof.

Also,

No. 904 Resolution providing for an agreement or agreements with Community Services Administration funding for the Summer Youth Recreation and Transportation Program, and providing for reimbursement by CAP to the City of \$20,000.00 for costs of the program.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 905 Resolution providing for the issuance of a warrant in favor of the Eastman Kodak Company, 343 State Street, Rochester, New York 14650, in the amount of \$606.50, in payment for repairs to a Reader-Printer, furnished for the benefit of the City; and providing for the payment thereof.

Also,

No. 906 Resolution providing for the issuance of a warrant in favor of Cole Publications, 901 West Bond, Lincoln, Nebraska 68521, in the amount of \$655.00 in payment for five Pittsburgh Cole Directories, furnished for the benefit of the City; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 907 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for Identification Officer John Busko to attend Burroughs B-1000 Operations School, Atlanta, Georgia, May 19-23, 1980, at cost not to exceed \$560.00, payable from City-County Integrated Identification System Project Trust Fund.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 908 Resolution repealing Res. No.

304, approved April 6, 1979, effective April 11, 1979, entitled, "Resolution providing for an agreement or agreements with a non-profit organization for the operation of the Innovative Grant - Residential Clubs Program located on the North Side of Pittsburgh.

Also,

No. 909 Resolution amending Res. No. 370, approved April 25, 1980, entitled, "A Resolution amending Res. 1005, approved Nov. 7, 1979, entitled, 'A Resolution providing for an agreement or agreements with Greater Pittsburgh Business Development Corporation for services in connection with The Small and Minority Business revolving fund program for an amount not to exceed \$150,000.00,'" by increasing the amount of the agreement and providing for the cost thereof.

Also,

No. 910 Resolution amending Resolution No. 368 approved April 25, 1980, entitled, "A Resolution authorizing an agreement or agreements with the Pittsburgh Opportunities Industrialization Center, Inc. for a Minority Contractor Bonding Program at a cost not to exceed \$150,000.00 and providing for the cost thereof," by decreasing the amount of the agreement.

Also,

No. 911 Resolution amending Resolution No. 1491, effective December 28, 1978, providing for an agreement or agreements with the Urban Redevelopment Authority and the Bidwell Education, Music and Recreation Center, Inc. for the renovation of the interior and exterior of the existing recreational facility located at 1214 Liverpool Street, 21st Ward, City of Pittsburgh, which presently reads as follows:

Also,

No. 912 Resolution providing for a Cooperation Agreement or Agreements with

the Urban Redevelopment Authority of Pittsburgh in connection with the Stanfield Urban Development Action Grant Project; and providing for the payment of the cost thereof.

Also,

No. 913 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of costs thereof.

Also,

No. 914 Communication from Raymond Reaves, Deputy Director, Department of City Planning, requesting permission for Mark Bunnell to attend Pennsylvania Historical and Museum Commission Public Hearing, Harrisburg, Pennsylvania, May 21, 1980, at cost not to exceed \$180.00, Miscellaneous Services, Department of City Planning.

Also,

No. 915 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Superintendent Imhoff to attend 65th Annual Code Change and Educational Conference of Building Officials and Code Administrators, Cincinnati, Ohio, June 14-20, 1980, at cost not to exceed \$735.00, payable from Code Account 1376, Traveling and Education Expense, Bureau of Building Inspection, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 916 Resolution providing for the issuance of a \$1,270.00 warrant to Mutual Benefit Insurance Company and Albert and Eleanor Babcock in full settlement of claim for property damage, and providing for payment thereof.

Also,

No. 917 Resolution authorizing the issuance of a warrant in favor of "City-County Building Weatherization Program" Bond Fund, (Capital Project LB 7809-4-25-13-2035-78), in the amount of \$110,000.00 as reimbursement for monies inadvertently deposited in "Community Economic Development Program Trust Fund." This payment to be chargeable to and payable from the "Community Economic Development Program Trust Fund" Pittsburgh National Bank Special Trust Fund Number Two.

Also,

No. 918 Resolution providing for an agreement or agreements with the South Hills Health System for professional services in connection with the design, development, implementation and evaluation of an Employee Assistance Program for City of Pittsburgh personnel.

Also,

No. 919 Communication from Ronald Schmeiser, City Treasurer, requesting permission for Deputy Treasurer Jacoby to visit Scranton, Pennsylvania Tax Office to examine wage tax collection system, June 11-12, 1980, at cost not to exceed \$260.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

**Mr. DePasquale presented**

No. 920 Petition from the Western Pennsylvania Coalition for Human Need and Rights requesting a hearing before City Council seeking an endorsement in the form of a Resolution opposing House Bill No. 2044 (Welfare Reform).

Which was read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

No. 921 Report of the Committee on Finance for May 14, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 809**

A Resolution entitled, "Resolution repealing Resolution No. 1160, approved December 27, 1979, effective December 31, 1979, entitled, 'Providing for the issuance of a warrant in favor of Crown Wrecking Co., Inc., in the amount of \$224,000 as partial payment for site preparation work for fire house to be erected at Spring Garden Avenue, Chestnut Street, Itin Street; and providing for the payment thereof.'"

Which was read.

**Michelle Madoff:**

Mr. President on Bill No. 809, of course I will have to vote to repeal the payment because it has already been paid anyway, but I cannot believe this was allowed to happen in the City without some kind of sanction not against the company, but against Mr. Imhoffs Department, Mr. Imhoff in particular and I would like that to be part of the record.

Also,

**Bill No. 822**

A Resolution entitled, "Resolution providing for the issuance of a warrant to James C. Eastely Company, Inc., care of Charles L. Kalson, Esquire, 808 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$9,807.52 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, if I can, I would like to get a total of the damage done by this particular break and I have not had that yet and I would ask that the Clerk please contact Mr. Gaetano and have the answer—

**Mr. Givens:**

It's much more than that I can tell you.

**Michelle Madoff:**

I gathered that because it came piece-meal.

**Mr. Givens:**

There were several residents who sued, there are two suits.

**Michelle Madoff:**

Well, I wasn't around when it happened, but I want the total on the two suits and any other —

**Mr. Givens:**

Well, you don't have the final conclusion of the second suit.

**Michelle Madoff:**

Well, as much as they have, and how many homes were affected, I want to get some lump sum dollar figure.

**Mr. Givens:**

My brother was one of them.

Also,

Bill No. 840

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chemply, Inc., in the amount of \$6,964.82 in payment for a chemical furnished to the City

of Pittsburgh without previous authority of law."

Which was read.

Also,

Bill No. 841

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Arthur C. Page Associate, Inc., in the amount of \$2,500.00 for the purchase of an aerial truck without previous authority of law."

Which was read.

Also,

Bill No. 842

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boron Oil Company in the amount of \$17,800.95 for the emergency purchase of heating and fuel oil for the Pittsburgh Zoo without previous authority of law."

Which was read.

Also,

Bill No. 843

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$6,861.23 for the emergency purchase of tires for City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 844

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$1,040.00 for the emergency change-over of



tires on new leased refuse trucks without previous authority of law."

Which was read.

Also,

Bill No. 845

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Allied Chemical Company in the amount of \$35,276.41 in payment for a chemical furnished to the City of Pittsburgh without previous authority of law."

Which was read.

Also,

Bill No. 846

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$6,032.45 for the emergency purchase of No. 2 Heating Oil for the Pittsburgh Zoo without previous authority of law."

Which was read.

Also,

Bill No. 847

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Duncan Industries in the amount of \$31,974.57 for the purchase of parking meter parts and equipment furnished to the City of Pittsburgh without previous authority of law."

Which was read.

Also,

Bill No. 848

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Firestone Stores in the amount of \$27,029.89 for the purchase of tires and tubes furnished

to the City Garage without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 866

A Resolution entitled, "Resolution amending a portion of Resolution No. 139 approved March 6, 1980 entitled, 'Providing for an Agreement or Agreements with Abraxas Foundation, Inc., Calliope House, Inc., Goodwill Industries of Pittsburgh, Housing Facilities, Inc., Metropolitan Pittsburgh Public Broadcasting, Inc., Neighborhood Legal Services, Pittsburgh Architects Workshop, Pittsburgh Metropolitan Stage Company, Pittsburgh Opportunities Industrialization Center, Inc., Pittsburgh Regional Library Center, Stanton Heights Civic Association, United Cerebral Palsy Association of the Pittsburgh District, United Mental Health, Inc., and University of Pittsburgh, Division of Theatre Arts for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 922 Report of the Committee on Public Works for May 14, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 788

A Resolution entitled, "Resolution granting unto Marjanco Builders & Contractors, 4619 Liberty Avenue, Pittsburgh, Pennsylvania 15224, owners of a building at 4521 Butler Street, 15201, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a fire escape over a portion of the sidewalk of Forty-Sixth Street in the Ninth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 923 Report of the Committee on Planning, Housing and Development for May 14, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 54

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Francis Plaza, Inc., for construction of a 14-story building to house 100 units of housing for the elderly with medical offices and offices for the Hospital Information System on property zoned 'R4' Multiple-Family Residence District having 256 feet of frontage on the easterly side of 44th Street between Calvin Street and Sherrod Street, 9th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

Mr. President, I vote no on Bill No. 54, my reasons for that are the fact that

the residents of that community did not desire that particular high rise with the three additional floors on there. They don't mind the high rise, that is consistent with the local building of the St. Francis ospital area. I can cite three other examples of this — that high rises for the elderly in other parts of the City, especially that of Squirrel Hill, wherein this Council voted down because of the neighbors in that particular area did not want a high rise building. I point to the fact that the last one that was built up in that area, I think it was six or seven stories, I am looking at the press and the media, in high rise for the elderly, again, out in Bethel Park, it is a beautiful building, it is only 8 stories high.

I am still concerned about the handicapped that are in this particular building and the fact, even though the Fire Department has signed off on it, that it goes above the 8 story level where the hook and ladders can come in, they have assured me that there have been safeguards built into the building, however, I feel anybody who is handicapped should not be above an 8 story level, anyplace in the City.

For this reason and the part of the neighbors in that community who do not want that particular facility built in such a small area with little room for maneuvering for the people, looking at St. Francis Hospital on one side, the cemetery on the other side, does not induce the environment of a place for people to retire in that has the greenery and the scenery and the residential environment that I think these people deserve in their older age.

I do, however, feel that there is a need for some type of high rise for those people who are handicapped and are elderly, and adjacent to a hospital, but that structure should be designed in such a way that it meets the standards surrounding it and the residential area surrounding it.

**Mr. Robinson:**

Mr. President, I would like to have my comments from last Wednesday's meeting, on Bill No. 54 included in the record.

**MR. ROBINSON'S REMARKS ON  
BILL NO. 54 FROM THE MEETING  
OF WEDNESDAY, MAY 14, 1980:**

**Mr. Robinson:**

Mr. President, I am in support of this particular piece of legislation for some of the same reasons that Mr. Coyne is in support of it. I have some reservations similar to his. I think it was rather obvious at the hearing that we had on the 9th, that this Council was in support of some sort of residential parking program in the City of Pittsburgh and that we would like to see something started in the area of the St. Francis Hospital.

It is my understanding that City Planning is willing to come forward and move to do something substantive relative to the parking situation in the City and to perhaps initiate a sticker parking program.

Also, I have viewed this situation in light of some general concerns in Lawrenceville relative to the development of housing in that area. I would just like to take this opportunity to indicate that the task force was put together to look at the re-use of St. Margaret's Hospital which has received a proposal from the FOP and I think are working positively to address the conversion of that facility and to address some of the housing concerns in Lawrenceville and taking all of this into consideration, it would seem to me that it would not be wise for this Council to deny the people of Lawrenceville the use of St. Francis Plaza because perhaps we have some other concerns of housing in that area. I think it is a worthwhile project and we do ourselves a lot of credit by supporting this kind of proposal and continue to work on the general housing problem in the Lawrenceville area. My vote is aye.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Michelle Madoff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes 2

(MR. FLAHERTY AND MR. GIVENS  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 705

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, for the utilization of administrative funds allocated to the following programs: URA Property Management (URA-79-01); NDP Administration (URA-79-07); Section 312 HILP Administration (URA-79-10)."

Which was read.

Also,

Bill No. 706

A Resolution entitled, "Resolution providing for a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 811

A Resolution entitled, "Resolution authoriz-

ing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 812

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreement with the Housing Authority of the City of Pittsburgh at a cost not to exceed \$2,000,000.00 chargeable to and payable from the 1980 Community Development Block Grant Program Trust Fund, Department of Housing, HD-80-07 (4-15-03-0003-80-15), Local Share of Improvements in HACP Communities; Support of Modernization, Conversion and Demolition as Identified by the Needs Study."

Which was read.

Also,

Bill No. 815

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ethelda Younger for the sale of Parcel 56 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 816

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lenora Ivey

Bush for the sale of Parcel 158 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 817

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Doreatha Johnson for the sale of Parcel 244C-1 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read

Also,

Bill No. 818

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Tom Mistick & Sons, Inc., for the sale of Parcel 29 and part of Parcel 50 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 819

A Resolution entitled, "Resolution approving an agreement by and between Urban Redevelopment Authority of Pittsburgh and Tom Mistick & Sons, Inc., in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Twenty-First Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 862

A Resolution entitled, "Resolution providing for an Agreement with the Saint Vincent DePaul Society for the renovation of the interior and exterior of the existing facility located at 2005 Wyandotte Street, City of Pittsburgh." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 924 Report of the Committee on Supplies for May 14, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 801

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of fire equipment (pumps and vinyl material) for the

Pittsburgh Fire Department and for the payment thereof."

Which was read.

Also,

Bill No. 802

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various swimming pool equipment (diving boards, guard chair seats, etc.) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 803

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a rooftop air conditioner for the Department of Lands and Buildings, and for the payment thereof."

Which was read.

Also,

Bill No. 804

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a trailer for the Department of Parks and Recreation and for the payment thereof."

Which was read.

Also,

Bill No. 805

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various tools (wrenches, screwdrivers, etc.) for the

Department of Water, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 925 Report of the Committee on Lands and Buildings for May 14, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 653

Resolution repealing Resolution No. 57, approved 2/25/75, which authorized the sale of property in the 27th Ward on Geyer Avenue, designated as Block 75-S, Lot 370, to Donald and Ruth Chester for the sum of \$1,550.00. Hand money in the amount of \$155.00 to be forfeited.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 792

A Resolution entitled, "Resolution repealing resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 514 of 1947, as amended and providing for the forfeiture of hand money." (AS AMENDED IN COMMITTEE)

Which was read.

Michelle Madoff:

Mr. President, I would be very remiss if I did not get someone to go back and check — on page 2 and 4 — and if you notice, on the bills we are repealing and returning, rather withholding the deposits. On some it says "objectors" and on other it says "no objectors", then it says "objectors" then it says "no objectors". I am a little bit confused. For example, the other day, Mr. Stone, perhaps you might have some information, or Mr. Coyne, somebody who has been here longer, somebody had purchased, or offered to buy a piece of property for \$150.00, a side lot, put \$100.00 down — and I called them to say, "Why would you throw away \$100.00 or \$150.00?". It turned out, as you know, that a boulder had fallen on the ground and we were responsible, they removed the boulder and the

people indeed, are not going to have their money withheld, it is going to be refunded.

Now, I am confused, some say "objectors" some say "no objectors", does that mean they are objecting to have their money taken?

Mr. Stone:

No, there is somebody else who wants to compete on the bid.

Michelle Madoff

No, no, these are monies we are returning. This is not the regular sale.

Mr. Stone:

No, you will find other people on it, when the initial person puts a bid in and we pass it, that doesn't mean that it is the only person, someone else apparently wanted to buy in, so that person is not prepared to go and it is forfeited and you are getting your money.

Michelle Madoff:

Well, are there more than one person getting the money back of \$100.00 then?

Mr. Stone:

No.

Michelle Madoff:

That doesn't make sense.

Mr. Flaherty:

Well, on the one it is plural, it says, "objectors" and the other it is singular, "objector", so I suppose on the one there is more than one.

Michelle Madoff:

We are keeping their money, you are saying, "You didn't live up to your contract so you are forfeiting your money". And some say we are forfeiting with objectors

and some say we are forfeiting with no objectors. Do you think it would be wise to hold it a week and find out?

**Mr. Flaherty:**

Sure.

**Michelle Madoff:**

May I move that we hold it just for clarification?

**Mr. Flaherty:**

I move that we hold Bill No. 792 for a week.

**Michelle Madoff:**

I second the motion.

Which motion prevailed.

Also,

Bill No. 793

Resolution amending Item (f) of Resolution No. 355, approved April 25, 1980, for the sale of property in the 13th Ward being vacant land, designated as Block 174-M, Lot 211. This resolution is to correct the Plan Lot number from #5 to #6.

Which was read.

Also,

Bill No. 794

Resolution amending Item (M) of Resolution No. 355, approved April 25, 1980, for the sale of property in the 32nd Ward, designated as Block 95-E, Lot 93 to Robert G. and Kathleen Dittmer. This amendment is to correct the Plan Lot number from #125 to #135.

Which was read.

Also,

Bill No. 795

A Resolution entitled, "Resolution providing

for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act P.L. 787 of 1937 as amended by Act No. 250, approved July 29, 1941."

Which was read.

Also,

Bill No. 796

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

**Mr. Givens presented**

No. 926 WHEREAS Senate Bills 1325 through 1338 have been unanimously endorsed by the Pennsylvania League of Cities Pension Recovery Task Force, of which Mayor Richard S. Caliguiri was a member. This Committee is comprised of 15 Mayors



who are from cities with pension systems that are rated "very critical"; and

WHEREAS, Pennsylvania has more than 1,500 local pension systems, more than any other state. More than 40,000 municipal employees participate in these systems, of which the City of Pittsburgh has some 4,500 employees; and

WHEREAS, local pension systems have unfunded liabilities of more than \$1.5 Billion; and

WHEREAS, more than half of Pennsylvania's population lives in cities; more than 75% of the pension plans in cities are actuarially unsound, threatening the fiscal health of the cities involved; and

WHEREAS, these bills will be in the Senate Committee during the week of May 21st to the 28th.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh urges the Senate of the Commonwealth of Pennsylvania to pass Senate Bill Nos. 1325 through 1338 which would implement the recommendations of the Special Senate Committee on Municipal Pension Systems.

Which was read.

Mr. Givens moved for approval.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Michelle Madoff:

Mr. President, I would like to bring to Councils attention the fact that Mr. Coyne and myself are looking into the possibility of the City of Pittsburgh emulating the County with regards to buying Israel bonds. The County is now buying a million dollars a year from their Retirement Board, or the Municipal Pension.

Mr. Buckley, I think Mr. Coyne has spoken with Mr. Buckley, is going to look into a possible source. It is interesting to note, since we just talked about pensions, that Israel bonds have never, ever defaulted on a payment — they have never defaulted, excuse me. Our Mayor has been the Honorary Chairman of the Israel bonds for the Zionist Organization this year. We have been giving a lot of lip service, but we haven't given anything substantial. I don't know what dollars would be appropriate, but I leave that in the good hands of Mr. Coyne and our Finance Chairman. I understand that you, Mr. DePasquale and Mr. Eddie Albert sit on the Municipal Pension Board and we would like to come before Council next week with either a resolution — I guess it would be a resolution, not an ordinance — what would it be Mr. Coyne?

Mr. Coyne:

Mr. President, I think what would be helpful is for Mr. Buckley, who is the Budget Controller, to explore the possibility of investments of these funds similar to what the County has implemented in past years. Being that you are a member of that Board, if you could give the dates of the meeting to the members of Council.

The Chair:

Bill, off the top of my head, we looked into it before, I forget the gentleman's name, he is the professional fund raiser for the B'nai B'rith, I believe, and we discussed it and Mayor Caliguiri was then the President of Council and legally at that time we couldn't do it. Now, I don't know if those restrictions are changed or if you can get around them. But we thought it was a good deal and they return a good profit and the County is doing real good with them. Apparently the City wanted to get into it and at the time we were told we couldn't do it.

Mr. Coyne:

We have asked Mr. Buckley to provide us that information and that is what Mrs. Madoff is referring to.

**The Chair:**

There is no objection.

**Michelle Madoff:**

I don't think anybody would let the County have such a lead, I mean they are giving a million dollars, not giving, but certainly investing a million dollars. We certainly ought to make some —

**The Chair:**

Michelle, if you can't do it you can't do it.

**Michelle Madoff:**

Well, I think we ought to find out what the laws are and see if there is any way of amending them.

**The Chair:**

We'll have to find out, I am only telling you what information we received before when we wanted to do it because it was a good deal, it was good for both sides, for Israel and for us. Anytime you can make a dollar like that you want to do it, but —

**Michelle Madoff:**

Well, Mr. Buckley is then authorized to look into it?

**The Chair:**

Certainly, and if he can come up with something, good. Its all right with me, I guess the rest of Council feels the same way. You say they never defected though, I have to say that formerly the Lakers never beat the '76ers in Philly, much to my sadness I found out they did.

**Michelle Madoff:**

Not defected, defaulted, I used the wrong word.

**Mr. Stone:**

I think we ought to inquire of the City Solicitor or our bond counsel relative to whether that can or cannot happen. There was some prohibition before, I'm not sure whether the County got around it or the law changed, but assuming that the same enabling statute applies to both the County and the City we ought to at least know it and I think that is the proper source to go to, to the bond counsel and the City Solicitor to find out if we have the ability and then I think after that it is a lot easier to do.

**Michelle Madoff:**

I have spoken with County Commissioner Wecht and he has offered his services in trying to get around it in solving the problem.

**The Chair:**

Very good.

**Mr. Givens:**

Mr. President, two things, one — a petition of some 600 petitioners requesting a public hearing for the No. 9 Engine House, I would like to give these to the Chief Clerk. You might want it to go into Committee, the Administration hasn't come out pro or con as to what they are going to do with this particular Engine House on 52nd and Butler Street in the 10th Ward of the City of Pittsburgh, but I think some resolution has to be done immediately if it is going to be placed into the 1981 budget if the Engine House must be replaced.

Secondly, Mr. President, I had asked that our Treasurer send me some type of written notification in regard to the 20c a mile that most federal employees are getting right now for mileage given and it is retroactive back to the first of January. The letter that I received was from Kenny Fields and the fact that Ron Schmeiser was out of town last week, I would direct that on a post agenda item that we have either Mr.

Schmeiser or Ken Fields or both come up before us because it is evident that people are now within the federal government, receiving 20c a mile, they are talking about 21½c a mile, they are talking about going back to the first of January and I want the people of the City of Pittsburgh, the employees who use their automobiles in the business of the City of Pittsburgh to be properly reimbursed and that this thing be brought to a conclusion as soon as possible. If they could come forward on Wednesday,

**Mr. Stone:**

Mr. President, on that one issue, if I may, we ought to tip off the fiscal expert for this City, Mr. Ken Fields, how, if the State law says that you can't go beyond 19c, how he can continue, according to his letter, to pay some more than 19c while you can't pay the others because you are restricted by some State statute. I'd like to see how he answers that one, it might be interesting.

**Michelle Madoff:**

Mr. President, may I check with Mike Perry, the City Clerk, is there a hearing scheduled — I'm not sure that we did schedule one — to have an update on the Mayor's new movement to enforce the Litter Ordinance by taking a hard line. Someone sent me some information saying that in Rome, when owners of litter-laden lots ignore City citations ordering them to clean up their property, the municipality will hire a contractor to do the job and bill the owner. If the owner refuses to pay the City does not hesitate to put a lien on his property.

**Mr. Perry:**

No, you wanted that at the end of June sometime.

**Michelle Madoff:**

Yes, but I just wanted to make sure that I did request that?

**Mr. Perry:**

Yes, you did.

**Michelle Madoff:**

And I want to be sure that Kitty Litter and all parties involved are there to give us some idea of what is happening. The Golden Triangle, Allegheny Conference, the Chamber, reporting back to us as to what is happening.

**Mr. Stone** moved to excuse Mrs. Masloff for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Robinson** moved to approve the minutes of Monday, May 5, 1980.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President I move to adjourn this meeting and that we should meet again next Tuesday, May 27, 1980 at 2:00 P.M. sharp.

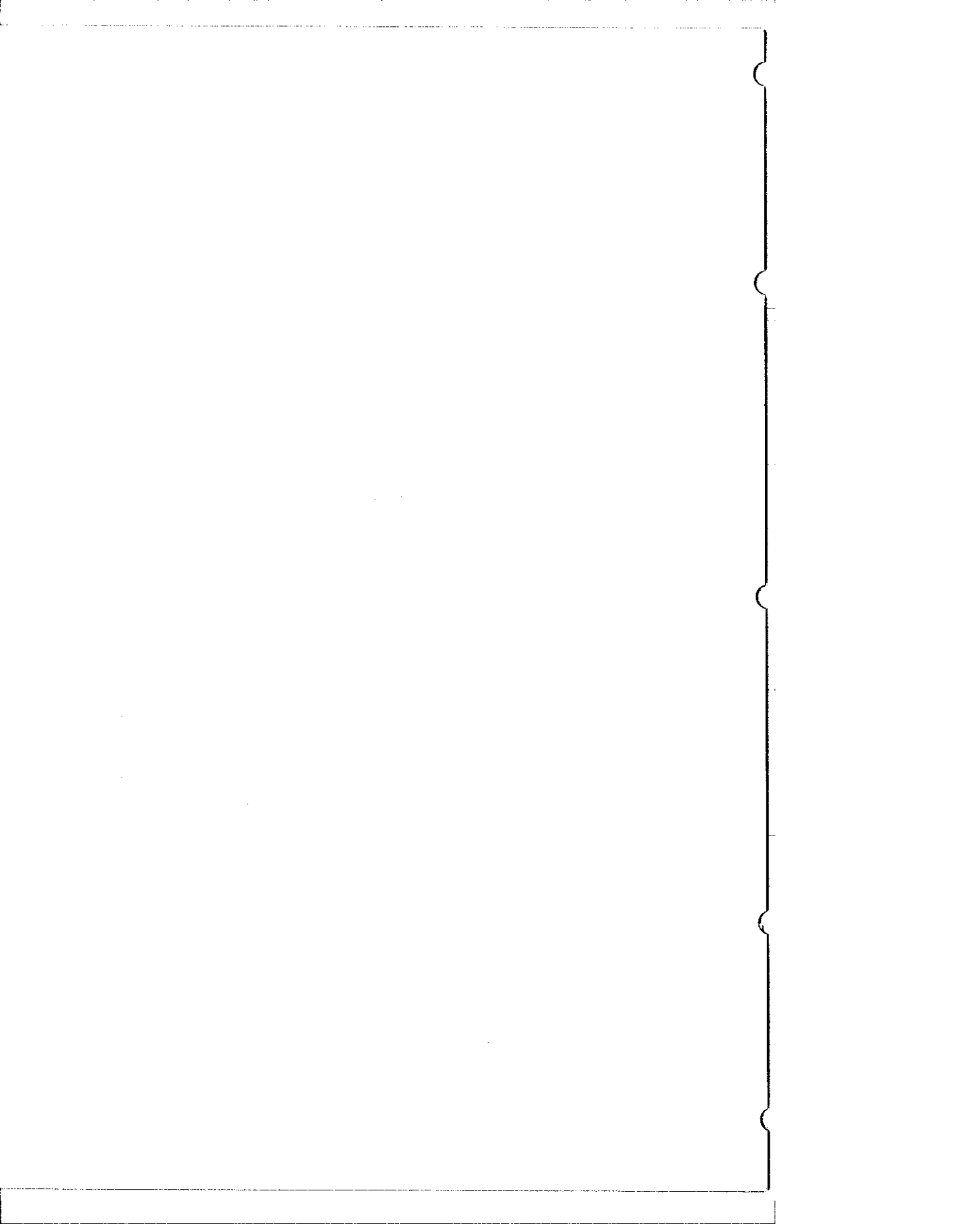
**Mr. Robinson** seconded the motion.

Which motion prevailed.

**The Chair:**

Incidentally, for the record, Sophie Masloff is at a Cable TV Convention in Dallas, Texas, the "Big D", she is also trying out to be a cheerleader for the Dallas Cheerleaders.

and Council adjourned.



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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXIV

Tuesday, May 27, 1980

No. 21

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### Municipal Record

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#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE** . . . . . President  
**MICHAEL PERRY** . . . . . City Clerk  
**WILLIAM F. McCRAY** . . . . . Ass't City Clerk

Pittsburgh, Pa.

Tuesday, May 27, 1980

#### PRESENT:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Coyne** presented

No. 927 Resolution providing for the issuance of a warrant in favor of Talley Corporation, in the amount of \$448.00 in

payment for repairs and parts furnished for the benefit of the City in connection with a Talley Reader Head, Model #1176; and providing for the payment thereof.

Also,

No. 928 Resolution authorizing the issuance and payment of a Semi-Final Estimate to J-Jac Construction Corporation in conjunction with the Repaving, widening of Fifth Avenue from South Highland Avenue to Penn Avenue, Controller's No. 23253-F and reducing the retained percentage from 10% to 1%.

Also,

No. 929 Resolution authorizing the issuance of a warrant in favor of the Noralco Corporation, in the amount of \$320.00 in payment for extra work furnished for the benefit of the City in connection with the demolition of the Fulton Street Footbridge, and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 930 Resolution amending Res. No. 308, approved April 18, 1980, effective April 25, 1980, entitled, "A Resolution providing for an Agreement or Agreements with Pullman Swindell, Division of Pullman, Incorporated, for Engineering Services in connection with Charles Anderson Bridge (PW 76-17); and providing for the payment of the cost thereof", by redefining funding sources.

Also,

No. 931 Resolution amending Res. No. 1229, approved December 29, 1979, effective January 1, 1980, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by amending line items in Exhibit 1.

Also,

No. 932 Resolution providing for an agreement or agreements with a Consultant or Consultants for Consultant Engineering Services in connection with a new Asphalt Plan for recycling bituminous materials; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 933 Resolution amending Item (B) of Res. No. 402, approved 5/12/80 for the sale of property on Butler Street, 10th Ward, designated as Block 121-A-29. Amendment is to change spelling of Nawhinney to Mawhinney (Former Owners).

Also,

No. 934 Resolution amending Item (C) of Res. No. 402, approved 5/12/80 for the sale of lot of Kincaid Street in the 10th Ward. This Amendment is to correct the lot size from 18.75 x 45 to 18.71 x 45.

Also,

No. 935 Resolution amending Item (K) of Res. No. 402, approved 5/12/80 for the sale of property on Perrysville Avenue, 25th Ward, Block 23-A, Lot 240, to Albert F. Riggs. This Amendment is to correct the lot size from 25 x 63 to 25 x 62.

Also,

No. 36 Resolution amending Item (H) of Resolution No. 189, approved 3/21/80

for the sale of property in the 32nd Ward being vacant land on Georgette Street (139-D, 43, 4, 5, 7, 8). This Amendment is to correct the Plant Name from Overbrook Terrace to Fairhaven Terrace.

Also,

No. 937 Resolution further amending Exhibit 1 of Resolution 1038, effective January 6, 1977, as amended by Resolution 424, effective May 22, 1980, entitled: "Resolution adopting the 1977 Capital Budget allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; transferring Bond Funds to said Capital Trust Funds", by re-allocating funds for the Department of Lands and Buildings.

Also,

No. 938 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 939 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,662.01 for extra work in connection with construction of No. 32 Engine Company, Golden Triangle, to be payable from Capital Project LB 76-02, No. 32 Engine Co., Golden Triangle Relocation, Department of Lands and Buildings.

Also,

No. 940 Communication from Harold West, Director, Department of Lands and Buildings, requesting permission for Director West and Mr. Tisdale to attend hearing before Department of Labor and Industry, Harrisburg, PA, June 5, 1980, at cost not to exceed \$350.00, payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Glivens presented**

No. 941 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office furniture (conference tables, desk chairs, etc. for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Also,

No. 942 Petition from the residents of Lawrenceville objecting to the removal of the No. 9 Engine House from McCandless and Butler Streets and requesting that it be restored and reinstated. Also requesting a hearing.

Which was read and referred to the Committee on Public Safety.

**Mrs. Masloff presented**

No. 943 Resolution providing for an agreement or agreements for professional services in connection with the City of Pittsburgh Fourth of July Celebration and providing for the payment of the costs thereof.

Also,

No. 944 Resolution providing for an agreement or agreements with the Center for Environmental Intern Program Fund, Inc. for an Environmental Intern Program in conjunction with the Young Adult Conservation Corps Program.

Also,

No. 945 Communication from Howard R. Hays, Director, Pittsburgh Zoo, submitting 1979 Annual Report for the Pittsburgh Zoo.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 946 Resolution transferring \$16,129.38 from Criminal Justice Planning Unit No. 2 Trust Fund to People Watching Out for People Trust Fund.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 947 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article IX, Boards, Commissions and Authorities by adding a New Chapter 173, "Environmental Commission".

Which was read and referred to the Committee on Public Works.

Also,

No. 948 Resolution providing for the filing of an application by the City of Pittsburgh, with the United States Economic Development Administration for a grant contracts and for the filing of requisitions and other data; approving the strip district produce terminal project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a special trust fund in connection with the project; and providing for the deposit of the funds in a bank account.

Also,

No. 949 Resolution amending Resolution No. 922 of 1977 entitled, "Authorizing the Mayor to execute an agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Project R-84, East Liberty, and concurrence by HUD in said agreement providing for the maintenance and sale by Urban of remaining property in said project, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment of the CDBG of re-

served funds in excess of obligations and the application of surplus grant funds from Project R-84 to Projects UR7-1, R-199, A-15, or R-366." By providing for the transfer of reserved funds in the amount necessary from Project R-84 to Project A-15 and the balance of reserved funds in excess of obligations to CDBG.

Also,

No. 950 Resolution amending Resolution No. 176 of 1977 entitled, "Authorizing the Mayor to execute an agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Projects R-285, Woods Run, and R-41, Allegheny Center, and concurrence by HUD in said agreement, providing for the maintenance and sale by Urban of remaining property in said projects, for the payment by the City of any obligations in excess of reserved funds in said projects and for the payment to the CDBG of reserved funds from Project R-285 to Projects UR7-1, R-199, A-15, or R-366." by providing for the transfer of reserved funds in the amount necessary to Project A-15 and the balance of reserved funds in excess of obligations to CDBG.

Also,

No. 951 Resolution amending Resolution No. 1040 of 1978 entitled, "Authorizing the Mayor to execute an agreement with Urban Redevelopment Authority of Pittsburgh, requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Project R199, Homewood North, and concurrence by HUD in said agreement, providing for the maintenance and sale by Urban of remaining property in said project, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment to the CDBG of reserved funds in excess of obligations and the application of surplus grant funds from Project R-199 to project A-15," by providing for the transfer of reserved

funds in the amount necessary to project A-15 and the balance of reserved funds in excess of obligations to CDBG.

Also,

No. 952 Resolution authorizing the Mayor to execute an agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of financial settlement of neighborhood development program No. A-15, and concurrence by HUD in said agreement, providing for the completion of all program activities, for the maintenance and sale by Urban of remaining property in said program, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment to the CDBG of reserved funds in excess of obligations and the application of surplus grant funds after satisfying all program obligations to the CDBG.

Also,

No. 953 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Director Brophy to attend HUD meeting on Housing Development and Rehabilitation Programs, Washington, D.C., May 30, 1980, at cost not to exceed \$150.00, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration CDHD. (HD-79-08)

Also,

No. 954 Communication from Raymond Reaves, Deputy Director, Department of City Planning, requesting amendment of Council Bill approving attendance of Raymond Reaves, at Urban Development Action Grant Conference, New Orleans, Louisiana, April 9-12, 1980, by increasing authorized amount from \$550.00 to \$584.08. Report attached.

Which were severally read and referred to the Committee on Planning, Housing and Development.



Mr. Stone presented

No. 955 Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$1,000.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 956 Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$1,000.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 957 Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$967.19 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 958 Resolution providing for the issuance of a \$889.11 warrant to Liberty Mutual Insurance Company and Sharon L. Kozeka in full settlement of their claim for automobile damage, and providing for payment thereof.

Also,

No. 959 Resolution providing for the issuance of a \$1,351.34 warrant to Security Insurance Company and S. Lewis and Marlene Averbach in full settlement of claim for vehicle damage, and providing for payment thereof.

Also,

No. 960 Resolution providing for the issuance of a warrant to Lawrence Rea in the amount of \$1,093.60 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 961 Resolution providing for the

issuance of a \$760.00 warrant to Edward and Wilma D. Ramolt in full settlement of claim for property damage, and providing for payment thereof.

Also,

No. 962 Resolution providing for an agreement or agreements with St. Francis General Hospital for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof.

Also,

No. 963 Resolution providing for an agreement or agreements with Energy and Environment Center, University of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof.

Also,

No. 964 Communication from Ronald C. Schmeiser, City Treasurer, requesting permission for Treasurer Schmeiser to attend Pennsylvania Institute of Certified Public Accountants Meeting, Boca Raton, Florida, June 22-26, 1980, at cost not to exceed \$215.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 965 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service, requesting permission for William Jarzabek to attend a workshop on Computerized Data from June 9th to June 13th, 1980 in Philadelphia, PA, cost not to exceed \$495.00.

Also,

No. 966 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service requesting permission for Ralph Flauger to attend a workshop on Employability Development Planning, June

10-12, 1980, in Philadelphia, PA, cost not to exceed \$425.00.

Also,

No. 967 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Joan Sims, to attend a seminar on interviewing the handicapped, June 15-20, 1980, in Johnstown, PA, cost not to exceed \$150.00.

Also,

No. 968 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of April 30, 1980.

Also,

No. 969 Communication from John E. McGrady, City Controller, submitting performance audit of the City Court Section of the Municipal Court System.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 970 Report of the Committee on Finance for May 21, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 852

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Graybar Electric Company, Inc., in the amount of \$533.30, in payment for work performed at Cowley-Goettman Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 853

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Zangrille Plumbing Co., in the amount of \$574.43 in payment for work performed at Banksville Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 854

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$775.00 in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 855

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Domenic Parente Contractors in the amount of \$3,211.03 in payment for work performed on the Bituminous Paving Contract, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 856

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$1,984.32 in payment for work performed

at Homewood Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 863

A Resolution entitled, "Resolution authorizing issuance of a warrant in the amount of \$2,370.00 in favor of Casciato Bros., 3301 Hyperion Street, Pittsburgh, PA 15214, in payment of contract for the demolition and removal of 2½ story frame dwelling located at 5222 Broad Street, Ward 10, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 867

A Resolution entitled, "Resolution providing for the issuance of a warrant to John P. Kelly in the amount of \$7,000 in full settlement of claim for overtime and vacation entitlement, and providing for the payment thereof."

Which was read.

Also,

Bill No. 868

A Resolution entitled, "Resolution providing for the issuance of a warrant to William J. Gilmore in the amount of \$7,000 in full settlement of claim for overtime and vacation entitlement, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes.

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 869

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Methodist Church Union for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 870

A Resolution entitled, "Resolution authorizing an Agreement or Agreements with Coopers and Lybrand located at 600 Grant Street, Pittsburgh, PA, for professional services in connection with providing 'enhancements' to the existing automated accounting and reporting system for Capital Funds and Community Development Funds of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes being in the affirmative, the bills passed finally.

Also,

Bill No. 894

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., in the amount of \$2,034.00 for emergency repair work furnished to City vehicles without previous authority of law."

Which was read.

Also,

Bill No. 895

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Classic Arco Service in the total amount of \$450.00 for the emergency towing of City vehicles without previous authority of law."

Which was read.

Mr. Givens:

Mr. President, on Bill No. 895, I talked to Director Yatch on that, it was for towing services, \$450. That towing service was the day after the accident, when our vehicle was disabled, the Law Department will be recouping any damages to City-owned vehicles during the time that they were being used in

that accident and the removal of that accident, that vehicle, the truck.

Also,

Bill No. 896

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Motorola in a total amount of \$10,472.00 for the purchase of two defibrillators for the Department of Emergency Medical Services without previous authority of law."

Which was read.

Also,

Bill No. 897

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Nalco Chemical Company in the amount of \$17,898.71 in payment for the purchase of a chemical furnished to the City of Pittsburgh without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 971 Report of the Committee on Public Works for May 21, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 6

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain tie backs, underpinnings and wall structures encroaching on and under a portion of South Highland Avenue in the 7th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 7

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County, its successors and assigns the license and privilege to construct, maintain and use bridge structures over a portion of Fifth Avenue in the 12th and 14th Wards of the City of Pittsburgh."

Which was read.

Also,

Bill No. 8

A Resolution entitled, "Resolution granting the Port Authority of Allegheny County the license and privilege to construct, maintain and use certain wall structures encroaching on and under a portion of Baum Boulevard in the 8th Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 9

A Resolution entitled, "Resolution granting

the Port Authority of Allegheny County, its successors and assigns, the license and privilege to construct, maintain and use bridge structures over and under portions of North Dallas Avenue and Susquehanna Street in the 12th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 835

A Resolution entitled, "Resolution granting unto the estate of Elizabeth R. Butler, 1117 Benton Avenue, Pittsburgh, Pennsylvania 15212, its successors and assigns, the privilege and license to continue to maintain and use at its own cost and expense, for the duration of the structure, that portion of said structure (1117 Benton Avenue) encroaching on Weitz Way in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 836

A Resolution entitled, "Resolution repealing Resolution No. 790, effective August 22, 1979, entitled: 'Amending Resolution No. 241 of 1978, as amended by Resolution No. 828 of 1978, by providing an additional \$20,000.00 for Tenant Work at the Phoenix Hill Shopping Center.'"

Which was read.

**The Chair:**

Is there any discussion on the bills

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 972 Report of the Committee on Planning, Housing and Development for May 21, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 704

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to correct several Capital Budget Project Numbers and further, to increase various Capital Budget Project amounts; and further, to create new Capital Budget Project Line Items, 'Minority Revolving Fund' (CP-80-10) and 'Architects' Workshop' (CP-80-11); and further to increase overall grant amount from \$24,770,000.00 to \$26,044,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 973 Report of the Committee on Water for May 21, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 850

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of undersized water lines serving fire hydrants on various streets; and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, if you recall, I had asked Director Cosentino to move in all haste to hire some engineers. As you know, Mr. Stone has repeatedly pointed out and I think all of Council agrees with him, that any delay in the construction, with the dollars we already have in the Capital Budget and having to borrow additional funds, any time that we delay increases the cost by inflation. We are now, I believe, approaching June, and we probably will not have those engineers till the end of June, then they start working and I wonder whether we will

even make this construction season and I wonder if the Finance Chairman would be willing to intercede and perhaps look into the issue to see what we can do, because that really costs us a lot of money and I support the moves you have made in the past, but I really need some help on this.

**Mr. Stone:**

I don't think it is a matter of not having any engineers, I think the engineers are under the Works Department who are trying to free some of those. I think it is wrong, and we've been saying that all along.

**Michelle Madoff:**

No, that is not — excuse me, let me correct you on that if I may. We had Mr. Cosentino in Council twice. He got permission from Mr. Matter to go out and hire some engineers and to use the dollars in the Capital Funds because they were capital projects and he is interviewing. But you know and you have brought this up many times and you were scheduling a hearing which we haven't had as yet, on what is happening in the hiring procedures. And what is happening here, this is something that really emphasizes what you have talked about, and here we are into June, by the time we get these engineers, will we even be able to design some of the work that could have been in operation this year, and I think that the inflation cost is something that you have talked about. I can only ask that he hire them, he says he is hiring, but if you could expedite it I would appreciate it.

**Mr. Stone:**

We'll look into it.

**Michelle Madoff:**

Thank you very much.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

No. 974 Report of the Committee on Parks and Recreation for May 21, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 849

A Resolution entitled, "Resolution changing the name of Morningside Field at the corner of Antietam Street and President Way in the 10th Ward of the City of Pittsburgh to Joseph B. Natoli Field."

Which was read.

Also,

Bill No. 857

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of Volunteers Field expansion and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 858

A Resolution entitled, "Resolution providing for a contract or contracts for Electronic Building Security Systems for various City Park Facilities and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 858, I had a phone call this morning from someone who wanted to know whether I had looked into, or whether anybody in Council, had looked into the possibility of the security system being linked into the Cable. That they had great expertise, and I personally have not looked at their, either smoke control, smoke alarm, or burglar alarm. But we might, because we are under contract, or they are under contract, have some way of doing it more expeditiously and I wondered whether Sophie would look into it.

**Mrs. Masloff:**

Well it will be a year I guess before they get the cable up and I don't think we can wait. Eventually —

**Michelle Madoff:**

I was told that they could do it one without the other that they are two separate and apart and they can be inter-linked. Could you check it? I did not know, that never even occurred to me. Did they have some kind of a burglar alarm system?

**Mrs. Masloff:**

Yes, they do.

**Michelle Madoff:**

Separately and apart from the cable?

**Mrs. Masloff:**

No, the burglar alarm system is attached to the cable system.

**Mr. Givens:**

It's not into the cable.

**Mrs. Masloff:**

Yes it is.

**Mr. Givens:**

I had a complete review on the whole thing, it is an excellent system.

**Michelle Madoff:**

It is tied into the cable?

**Mr. Givens:**

It's right in the cable.

**Michelle Madoff:**

And they don't have it separate from the cable.

**Mrs. Masloff:**

It is tied into the cable, you can't have one without the other.

**Michelle Madoff:**

I had never thought of it, it didn't even occur to me, someone called me on it this morning.

**Mrs. Masloff:**

"Jeep" and I saw that whole system demonstrated and you can't have the system without the cable, so when the cable is installed, it is in the system.

**Michelle Madoff:**

Okay, I was asked and I am asking.

Also,

Bill No. 859

A Resolution entitled, "Resolution providing



for a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 860

A Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from the School District of Pittsburgh of certain property in the 15th Ward of the City of Pittsburgh, known as Gladstone Field, for so long as it is used for public park purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses, and providing for the payment of the same."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 975 Report of the Committee on

Lands and Buildings for May 21, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 792

A Resolution entitled, "Resolution repealing resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh in accordance with Act No. 514 of 1947, as amended, and providing for the forfeiture of hand money." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 838

A Resolution entitled, "Resolution repealing resolutions approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh in accordance with Act No. 514 of 1947, as amended, and providing for the forfeiture of hand money." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 839

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Mrs. Masloff presented

Bill No. 976

Resolution approving the appointment of Samuel S. Blaufeld, 5317 Pembroke Place, Pittsburgh, PA 15232 as a member of the Pittsburgh Cable Communications Advisory Committee for a term to expire December 31, 1981.

Which was read.

The Chair:

Is there any discussion on the appointment?

Michelle Madoff:

Mr. Stone, is he okay?

Mr. Stone:

Yes, he is a good man.

Michelle Madoff:

On the recommendation of Mr. Stone I will vote aye.

The Chair:

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Michelle Madoff:

Mr. President, I would like to bring Council up to date on the hearing that was held here last Thursday, I believe, with Allegheny Steam Heating. I neglected to mention that I am, as you know, you appointed me to be the head of the Sub-committee on Energy. It was a very interesting meeting, some very interesting things came out of that meeting, you may have read about them in the media and they were pretty accurate. Essentially, Allegheny Steam Heat, a sub-division of Duquesne Light would like to divest itself of Allegheny Steam Heat because last year they lost \$800,000 and they anticipate losing a million dollars this year. The people who represent 20% have already defected — 20% of the downtown users, there are something like 300 of them, have already defected to Equitable.

We learned from the Air Pollution Bureau that only about six have made applications for permits and that, obviously, the others will be forthcoming, we don't know the magnitude of the big users, whether Kaufmann's or Horne's or some of the others are leaving.

After the meeting I was contacted by one of the engineering firms who had made contact with Allegheny Steam Heat, they

did not know we were having the hearing until it was reported in the paper and I have some additional information which I would like to and will pursue with the Chamber, Allegheny Conference, Downtown Committee, etcetera.

One of the things I think this Council ought to know is that the rate on an m pound, that is a thousand unit, in the City of Pittsburgh is \$18.80, and in Alaska it is \$10.00.

Furthermore, I do think we have a little problem and I think Harold West alluded to it at several hearings, that we are going to have to look at some kind of heating system for the City-County Building, partially because the system is old and deteriorated — the mechanism — in the building, but then again we are going to have to be confronted with one of the problems that we could have to deal with and that is by the shutting down of one of the two units by the conversion of the 12th Street plant to gas, and the other plant, perhaps shutting down and the 12th Street plant servicing the remained of the downtown area, those that remain on the line. It is conceivable that we could have a problem where in six weeks there would be no energy, no heat, in the downtown area.

I think that we ought to think about our own building, what are our plans and I think it might be appropriate to have Mr. West to give us an update on the immediate and long term heating plans for the City-County Building and I would ask that the Clerk send him a message asking if he

would update this Council. I will report back after I investigate some of the allegations and some of the information that I have received since the hearing and let you know what is going on.

Is there anybody who has any questions, who were not here at that meeting — it seems that the whole thing may be after the fact if people keep defecting, there just won't be anybody on the line.

**The Chair:**

Mr. Coyne and I rode in a parade yesterday in an 1912 Hupmobile and it ran rather well, so maybe the old systems are the best.

**Mr. Coyne:**

Better than some of the ones in 1980.

**The Chair:**

It runs better than the car I had a few years ago, a Mercury, I would advise no one to ever buy a Mercury.

**Mr. Stone** moved to approve the minutes of Monday, May 12, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**,

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, June 2, 1980

No. 22

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. StSone
Michelle Madoff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 977 Resolution widening Forward Avenue from Murray Avenue to a point 100.65 feet southwesterly therefrom, in the 14th Ward of the City of Pittsburgh.

Also,

No. 978 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$8,006.84 for Extra Work in connection with Electrical Work, Carnegie Library/Hill Branch, Controller's Contract No. 23503-F.

Which were read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 979 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 659, Unlawful Practices, by amending 659.03(J), in relation to the powers of the Pittsburgh Human Relations Commission to eliminate discrimination because of race, religion, and sex in private clubs where a significant portion of the membership conducts or engage in business.

Which was read and referred to the Committee on Finance.

Also,

No. 980 Resolution repealing Item (H) of Res. No. 1024 approved 11/21/79, authorizing the sale of property on Elmont St., in the 28th Ward, being a Lot, designated as Block 40-H-4. Amendment is to cancel sale and return hand money to purchasers.

Also,

No. 981 Resolution repealing Item (I)

of Res. No. 1024, approved 11/21/79, authorizing the sale of lot on Elmont Street, in the 28th Ward, designated as Block 40-H, Lot 4, to Robert and Annette Marshall. Amendment is to cancel sale and return hand money to purchasers.

Also,

No. 982 Resolution repealing Item (J) of Res. No. 1024, approved 11/21/79, authorizing the sale of lot on Norwalk Street in the 28th Ward, designated as Block 40-H, Lot 40 to Robert and Annette Marshall. Amendment is to cancel sale and return hand money to purchasers.

Also,

No. 983 Resolution repealing Res. No. 269, appr. 8/17/73, authorizing the sale of lot on Murtland Ave. in the 12th Ward, designated as Block 125-S, Lot 18, to Vincent Mitchell, now deceased. Amendment is to cancel sale and return hand money to Estate of the deceased purchaser.

Also,

No. 984 Resolution repealing Res. No. 1210, appr. 10/18/78, which authorized the sale of a 2 sty. stone hse. #253, Dinwiddie St., in the 3rd Ward, designated as Block 11-A, Lot 196. Amendment is to cancel sale and return hand money to purchaser.

Also,

No. 985 Resolution repealing Res. No. 260, appr. 4/8/77, authorizing the sale of lot in the 5th Ward on Webster Avenue, designated as Block 26-K, Lot 226, to Louis and Eunice Parker. Amendment is to cancel sale and return hand money to purchaser.

Also,

No. 986 Resolution amending Item (C) of Res. No. 429, approved 5/22/80, authorizing the sale of property in the 15th Ward, being a lot designated as Block 55-L,

Lot 61. This amendment is to correct date of acquisition from 6-5-72 to 6-5-50.

Also,

No. 987 Resolution amending Item (H) of Res. No. 429, appr. 5/22/80, authorizing the sale of lot on Buena Vista St., 25th Ward, designated as Block 23-A, Lot 169. This amendment is to correct the lot size from 25 x 64 to 25 x 65.

Also,

No. 988 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 989 Resolution providing for the issuance of a warrant in favor of Nebraska Packing Inc. in the amount of \$3,876.60 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 990 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of used ambulances for the Department of Emergency Medical Services, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Also,

No. 991 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a plastic sail

cover, 100'-0 x 125'-0, for the Department of Public Works, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 992 Resolution funding the purchase of the home at 7211 Thomas Boulevard of the use of the Women's Center and Shelter of Greater Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

**The Chair:**

How does this relate to the one that is already there? Is this for battered women again?

**Mr. Givens:**

Yes.

**The Chair:**

Are they going to put another one there?

**Mr. Givens:**

No, that particular building itself, they want to purchase and they want to use Community Development money to do so. Also, on that particular bill, could we send a copy of that down to Rege Young for a report back from him while it goes into committee.

**Michelle Madoff** presented

No. 993 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, NJ, 07960, in the amount of \$6,000.00 in payment for Installation of a 12" Valve at the Forbes Avenue Bridge and providing for the payment thereof.

Also,

No. 994 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, NJ, 07960, in the amount of \$25,200.00 in payment for installation of a 36" Valve at Butler Street and 62nd Street and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 995 Resolution further amending Res. No. 487, appr. July 12, 1976, as amended by Res. No. 785, approved August 17, 1979, entitled, "Approving 1976 Capital Improvement Project; allocating and setting aside amounts in connection therewith; creating trust funds; transferring Bond Funds to said trust funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the cost thereof", by decreasing the appropriation for WD-76-2 and establishing new line items WD-76-7 Installation 12" Valve Forbes Avenue Bridge and WD-76-8 Installation 36" Valve Butler Street and 62nd Street.

Which was read and referred to the Committee on Water.

**Mr. Robinson** presented

No. 996 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning, District Map No. 16 by changing from "M3" Light Industrial District to "AP"

Planned Commercial-Residential Unit Development District all that certain property bounded by: PENN AVENUE; the boundary line of the "AP" District, "M1" District and "C3" District located between PENN AVENUE and BROAD STREET east of PENN CIRCLE EAST; the southeasterly boundary of Block 84 G, Lot No. 360 in the Allegheny County Block and Lot System; and its projection in a northeasterly direction, 11th Ward.

Also,

No. 997 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Rachel Mayers to attend 9th Annual Meeting of National Leased Housing Association for Section 8 Program, Washington, D.C., June 11-13, 1980, at cost not to exceed \$650.00, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration CDHD (HD-79-08).

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 998 Resolution providing for the issuance of a warrant to Anna V. Bischoff in the amount of \$2,000.00 for the City of Pittsburgh's share of the settlement of claim for property damage, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 999 Resolution transferring to Code Account 42-2 Council's Contingent Fund, the aggregate sum of \$2,808,500 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from January 1, 1980 through May 4, 1980.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Stone:

This bill is a little unusual and I think maybe it needs some comment at this point. If you will recall, when we passed the budget, we requested in Section 2(c) of the budget ordinance, that all directors and heads of departments shall prepare a written report containing the data for all unspent payroll accounts and that all unspent payroll account monies would then be transferred over to Council's Code Account 42. This has been going on for some time, our budget staff has prepared this allocation and it covers the period January 1, 1980 through May 4, 1980 and there is presently in unspent monies from various salary accounts, as is indicated, \$2,808,500.00 which we are now transferring into that Code Account under that particular ordinance.

Michelle Madoff:

Excuse me, would you give me that figure again?

Mr. Stone:

\$2,808,500.00.

Michelle Madoff:

Oh, that's better, I didn't hear the million. Do you have any projections to the end of the year?

Mr. Stone:

Well, I can't tell whether they are going to hire or not. From that period, January 1 to May 4, it is \$2.8 Million.



**Michelle Madoff:**

The projection in Water is a Million Dollars — in water alone.

Also,

No. 1000 Resolution providing for a transfer of \$5,000.00 from Code Account 1042, Salaries, City Information Systems, Mayor's Office to Code Account 1042-1, Premium Pay, City Information Systems, Mayor's Office.

Also,

No. 1001 Resolution transferring \$4,500.00 from Code Account No. 1060, Salaries, Regular Employees, Department of City Treasurer to Code Account No. 1061-1, Premium Pay, Department of City Treasurer.

Also,

No. 1002 Resolution providing for an agreement or agreements with Neighborhood Centers Association for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof.

Also,

No. 1003 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Philip Schugar to attend Department of Labor meeting on CETA activities with other Prime Sponsors, Philadelphia, PA, May 29, 1980, at cost not to exceed \$210.00, payable from CETA Trust Fund, federal funds.

Also,

No. 1004 Communication from Michael Perry, City Clerk requesting permission for Jack Buckley, Budget Controller, to visit Scranton, PA Tax Office to examine Tax Collection System June 11th and 12th 1980 at a cost not to exceed \$260.00, payable from Code Account No. 1001-1, Mis-

cellaneous Services, Supplies, Equipment, etc., City Council.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

**Mr. Stone** presented

No. 1005 Report of the Committee on Finance for May 28, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 893

A Resolution entitled, "Resolution providing for the issuance of a warrant to Kirby Electric Services, Inc., in the amount of \$444.60 in payment for extra services furnished for the benefit of the City in connection with No. 8 Police Station Relocation; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 902

A Resolution entitled, "Resolution transferring \$78,000 from Code Account 44, Workmen's Compensation Fund to STF 2 Account Special Summer Food Service Program, SSFSP." (AS AMENDED IN COMMITTEE.)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 905

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Eastman Kodak Company, 343 State Street, Rochester, New York 14650, in the amount of \$606.50 in payment for repairs to a Reader-Printer, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 906

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Cole Publications, 901 West Bond, Lincoln, Nebraska 68521, in the amount of \$655.00 in payment for five Pittsburgh Cole Directories, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 916

A Resolution entitled, "Resolution providing for the issuance of a \$1,270.00 warrant to Mutual Benefit Insurance Company and Albert and Eleanor Babcock in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 917

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of 'City-County Building Weatherization Program' Bond Fund (Capital Project LB 7809-4-25-13-2035-78), in the amount of \$110,000.00 as reimbursement for monies inadvertently deposited in 'Community Economic Development Program Trust Fund.' This payment to be chargeable to and payable from the 'Community Economic Development Program Trust Fund,' Pittsburgh National Bank Special Trust Fund Number Two."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 918

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the South Hills Health System for professional services in connection with the design, development, implementation and evaluation of an Employee Assistance Program for City of Pittsburgh personnel."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 1006 Report of the Committee on Public Works for May 28, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 887

A Resolution entitled, "Resolution amending Resolution No. 971, approved November 1, 1979, effective November 7, 1979, entitled, 'A Resolution providing for a Contract or Contracts for the Reconstruction of Robert McAfee Bridge (PW 79-14); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the project allocation from Two Million Four Hundred Thousand (\$2,400,000.00) Dollars to Two Million Nine Hundred Fifty Thousand (\$2,950,000.00) Dollars."

Which was read.

Also,

Bill No. 888

A Resolution entitled, "Resolution further amending Resolution No. 1269, approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, entitled, 'A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by amending the title and increasing the project allocation by One Million Two Hundred Thousand (\$1,200,000.00) Dollars."

Which was read.

Also,

Bill No. 889

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 914, effective October 16, 1979, as amended by Resolution No. 306, effective April 25, 1980, entitled, 'A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by redefining funding sources."

Which was read.

Also,

Bill No. 890

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 891

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Professional Engineering Consultant for Traffic Engineering Services, in conjunction with West Carson Street; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson** presented

No. 1007 Report of the Committee on Planning, Housing and Development for May 28, 1980, transmitting sundry ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 175

An Ordinance entitled, "An Ordinance amending, supplementing and repealing various sections of Title Eight, FIRE PREVENTION and Title Ten, BUILDING of the Pittsburgh Code."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

**Mr. O'Malley**  
**Mr. Robinson**

**Mr. Stone**  
**Mr. DePasquale**  
(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 813

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th and 11th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-H-285, 287, 289, 227, 228, 229, 118, 176, 177, 178, 50-L-40, 41, 160, 161, 85, 88, 90, 116, 50-B-292, 294, 245, 247, 248, 296, 298, 50-A-1, 6, 8 and 9." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 814

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 57-C-194, 199, 200, 201, 202, 203, 205, 206, 57-D-1, 4, 8, 14, 26 located on Sunnyside Street, Alameda Street and Renova Street." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 864

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Ten,

Building, Chapter 1065, by adding a new Section 1065.13 entitled, 'Smoke Detectors'."

Which was read.

**Mr. Robinson:**

I move to recommit Bill Nos. 813, 814 and 864.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Question. Mr. Robinson are you going to recommit Bill No. 175?

**Mr. Robinson:**

No.

**Michelle Madoff:**

Won't they dovetail?

**Mr. Robinson:**

No.

**Michelle Madoff:**

Could you tell me briefly how this differs?

**Mr. Robinson:**

Bill No. 864 was the piece of legislation that Mr. Imhoff and Chief Harper had indicated that they were interested substantially changing. Unfortunately, Wednesday, in the confusion, we were unable to submit to Council the substitute legislation that they felt would have left a number of questions that had been raised. When the bill goes back to committee, the substitute legislation that we submitted, we will have an opportunity to discuss that.

**Michelle Madoff:**

Well, how, did that affect Bill No. 175, Bill, that is what I —

**Mr. Robinson:**

Bill No. 175 is simply some enabling legislation which is necessary so that we do have some kind of Fire Prevention Code in place while we discuss the issues.

**Michelle Madoff:**

That is what I wanted to understand, thank you.

Now, Bill, am I to understand that on Bill No. 864, particularly, when I looked at the bill at home and we had it presented to us the other day, it was almost identical to the bill that I have had legal counsel work out, and they were reading my bill back to me. Now I look at the bill and nothing is in it — what happened there, I don't quite understand. Is it just a matter that they didn't have time to substitute the bill?

**Mr. Robinson:**

No, I think probably a couple of things occurred and this is what I was afraid was going to happen Wednesday. I think in the rush and chaos on Wednesday, there were some technical problems and that is another reason to send the bill back to committee so we can start fresh to make sure the procedure was correct, that what we had in front of us was actually what is being submitted by the sponsors to then discuss it.

**Michelle Madoff:**

I don't want to do it to death, but since I put in a lot of time on this and we have got a lot of resource people and attorneys that never charged us and did a lot of work, I'm just a little bit confused. Wasn't there a bill that they read from that was identical to what I had? I want to know where that bill is.

**The Chair:**

Bill, I think if you recall, on Wednesday we said that, or it was stated, I think by you, that Bill No. 864 negated Bill No. 175, and this is how we arrived at approv-

ing 864 and in fact we had tabled, or dropped 175, I'm surprised to see it on there.

**Mr. Robinson:**

No, as I mentioned before —

**The Chair:**

I mean 175 negated 864, I'm sorry.

**Mr. Robinson:**

During the confusion and chaos, Chief Harper came forward to correct 175, the enabling legislation. Bill No. 864 specifically deals with the issue of smoke detectors, and hopefully by recommitting 864 we can clarify a number of concerns. When it is re-committed and the substitute legislation is presented to Council then we will have a fresh discussion on a fresh piece of legislation. Any comments now relative to 864 are moot.

**Michelle Madoff:**

Bill, the reason I am asking the question, if we had taken my bill and re-submitted it as their bill, just changed the number, and it added only one section, which was any new construction, or anybody that has to get a permit, it would have been exactly what they were telling us they already had and that is why I am sort of nonplussed to read that what they were doing was reading my bill back to us.

**Mr. Robinson:**

Maybe.

**Michelle Madoff:**

I mean that is exactly what happened.

On Bill No. 8814 Mr. Robinson, could you tell me, what is that to be used for? I know what the previous bill on Stanton Heights is going to be used for, but with all the activity going on the other day I never did pin down what the 15th Ward was going to be used for, do you know?

**Mr. Robinson:**

Those houses are being procured to be part of the Neighborhood Housing Program. The idea is to try and push together as many parcels of public property in the City and make them available to developers who would come in and develop housing and take advantage of our Neighborhood Housing Program, so this is a part of an overall City-wide effort to identify vacant parcels in various communities, to turn them over to URA who would then look for a developer to develop all the parcels.

**Michelle Madoff:**

You know there are 47 that they have already prepared.

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

My concern is, the people who have been coming to us and saying, "I want a piece of property, but we can't lay our hands on it because it is in limbo because URA now has it". And I've seen a piece of property for three years now that somebody wants to build a building on downtown, go back and forth and back and forth and we could have been drawing taxes on it for three years.

**Mr. Robinson:**

Well, I think it is no secret that the Administration feels that rather than have individuals indiscriminately building in the City, that we should attempt to bring in some developers to develop large parcels of land and one way to assemble large parcels of land is to go about and look at tax delinquent properties and other properties that come to the City, put them together in a package and literally offer them to a developer with incentive so that that developer can develop all of those parcels. That prohibits much of what you have been suggesting in terms of individual sales.

**Michelle Madoff:**

People in the area, that is what I am concerned that you are concerned about.

**Mr. Robinson:**

Well I would assume that at some point that is a policy decision that has been made by the Administration to do it that way. Obviously all of these parcels come before us and if we disagree with that policy I guess Council would have to take some action, but when we approve the type of legislation that is before us right now, we are basically approving of that kind of policy.

**Michelle Madoff:**

I know you are riding herd and you are on top of this, and I would just like to point out to you, you may or may not know, that the Mayor did meet with the Greater Pittsburgh Builders Association and present them with the 47 properties and from where I sit there were no buyers, or nobody biting because of the mortgage rates and so on, I think the key word is what you just said and that is incentives. If we float a bond such as the one on the North Side for \$23 Million and say to a developer we need housing and we will give you 7% or 8% mortgages, or even less, if you go out over a hundred units, HUD doesn't care if they are scatter-site or if they are one source, that may be what we need to do and we need some innovation and I am glad to see that you are suggesting incentives.

I also want to point out that I heard Mayor Kevin on the news the other day, the Mayor of Boston, and he sort of confirms what you have been going after, the 50% on construction, he wants 50% of the workers to be City of Boston workers. I just thought I'd throw that out.

**Mr. Robinson:**

Maybe I'll call him on the phone.

Also,

Bill No. 908

A Resolution entitled, "Resolution repealing

Resolution No. 304, approved April 6, 1979, effective April 11, 1979, entitled, 'Resolution providing for an agreement or agreements with a non-profit organization for the operation of the Innovative Grant-Residential Clubs Program located on the North Side of Pittsburgh.'

Which was read.

Also,

Bill No. 909

A Resolution entitled, "Resolution amending Resolution 370, approved April 25, 1980, entitled, 'A Resolution amending Resolution 1005, approved November 7, 1979 entitled, 'A Resolution providing for an Agreement or Agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.' by increasing the amount of the Agreement and providing for the cost thereof.' by increasing the amount of the agreement and providing for the cost thereof."

Which was read.

Also,

Bill No. 910

A Resolution entitled, "Resolution amending Resolution 368, approved April 25, 1980, entitled, 'A Resolution authorizing an Agreement or Agreements with the Pittsburgh Opportunities Industrialization Center, Inc., for a Minority Contractor Bonding Program at a cost not to exceed \$150,000 and providing for the cost thereof' by decreasing the amount of the Agreement."

Which was read.

Also,

Bill No. 911

A Resolution entitled, "Resolution amending Resolution No. 1491, effective December 28,

1978, providing for an Agreement or Agreements with the Urban Redevelopment Authority of the Bidwell Education, Music and Recreation Center, Inc., for the renovation of the interior and exterior of the existing recreational facility located at 1214 Liverpool Street, 21st Ward, City of Pittsburgh."

Which was read.

Also,

Bill No. 912

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Stanfield Urban Development Action Grant Project; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 913

A Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. DePasquale

(Pres't)



Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff:**

Mr. President, I had forgotten, we have a letter that came today --

**The Chair:**

No, we are going to get on with the bills, okay?

**Michelle Madoff:**

It's the same bill.

**The Chair:**

We're going to get on with the bills.

**Michelle Madoff:**

It's the same bill.

**The Chair:**

We're going to get on with the bills, okay?

**Michelle Madoff:**

It's on the bill.

**The Chair:**

Supplies, Mr. Givens.

You give a dissertation for twenty minutes that had nothing to do with the bills to begin with --

**Michelle Madoff:**

It has to do with the bill, it is on the smoke detectors.

**The Chair:**

Well then why didn't you talk about it before instead of about everything else.

**Michelle Madoff:**

I'm sorry if I am taking your time from going to a game or something but we do have to --

**The Chair:**

Going to the game your rearend, I'm getting sick and tired of your stinking insinuations.

**Michelle Madoff:**

Well, then don't be in such a hurry, we are doing the people's business.

**The Chair:**

And quit airing your dirty linen out here on the floor, bring it out in the Mayor's Conference Room or over here on Wednesdays.

**Michelle Madoff:**

Mr. DePasquale this is on the Smoke Alarm Bill where people are asking us for a public hearing.

**The Chair:**

Go on Mr. Clerk.

**Michelle Madoff:**

If you don't care as President to address it --

**The Chair:**

You are out of order.

**Michelle Madoff:**

I will be out of order.

**The Chair:**

Go on Mr. Clerk.

**Michelle Madoff:**

I'll be out of order Sir because you don't care about the people's business.

**The Chair:**

It's better than the homosexual meetings you go to.

**Michelle Madoff:**

Mr. DePasquale, one moment please, what homosexual meeting have I gone to, were you there to see me?

**The Chair:**

You've gone to a lot of them, they're your buddies.

**Michelle Madoff:**

Were you there to see me, do you have proof of that? Everybody knows that a jeep is a vehicle without a top.

**The Chair:**

Do you have proof I go to the ball-park? I've had enough.

**Michelle Madoff:**

That's right, that is all you can handle, a jeep is a vehicle without a top, we know that.

**The Chair:**

It's much better than going to the ball-park, believe me.

**Michelle Madoff:**

A show, we sell tickets to the Zoo.

**The Chair:**

To sell tickets at your meetings.

**Mr. Givens presented**

No. 1008 Report of the Committee on Supplies for May 28, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 898**

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of miscellaneous equipment (tune-up equipment, cleaning equipment, etc.) for the Bureau of Automotive Equipment, Department of Supplies, and for the payment thereof."

Which was read.

Also,

**Bill No. 899**

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of basketball poles and backstops for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

No. 1009 Report of the Committee on

Water for May 28, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 900

A Resolution entitled, "Resolution providing for a contract or contracts for the replacement of undersized water lines serving hydrants in conjunction with reconstruction of the Radcliffe Street Bridge, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley for Mrs. Masloff presented**

No. 1010 Report of the Committee on Parks and Recreation for May 28, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 903

A Resolution entitled, "Resolution providing

for agreements or use of existing agreements for personal and professional services and for a contract or contracts or use of existing contracts with the South Oakland Youth League for implementing the 1980 Summer Recreational Cultural Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 904

A Resolution entitled, "Resolution providing for an Agreement with Community Action Pittsburgh, Inc., in connection with Community Services Administration funding for the Summer Youth Recreation and Transportation Program, and providing for reimbursement by CAP to the City of \$20,000 for costs of the program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, on Bill No. 864, Council

received today, and I don't know if everybody saw a copy, it is addressed to the City Clerk and I had it on my desk and I didn't get to it on time when you ruled me out of order.

"We the undersigned residents of the City of Pittsburgh hereby petition Council to table Bill No. 864 until a public hearing can be held on this matter."

I am looking through the list and it seems to me it might conceivably be people who do have some interest in smoke alarms, may have burglar alarms as smoke alarms in their homes and I would suggest that prior to our re-submitting the bill, Mr. Robinson might want to address the problem and that is what I was trying to raise at the time.

**Mr. Robinson:**

When the bill is recommitted Mr. President, I think that would be the appropriate time to discuss it.

**Mr. Stone:**

Mr. President, on another subject if I may —

**Mr. Givens:**

Excuse me, I would like to stay on this one subject and make a comment. We have already had a public hearing Mr. President, as you are well aware, on this particular bill, but as always, many people don't get the message and I imagine when they saw it in the newspapers this alerted them to the fact that Council was, in fact, passing this.

I was very concerned about the cost that would come to an apartment owner or someone who owns rental property. In talking to Captain Sanders who has been very instrumental in the total making of this particular ordinance which is now sent back to committee, is the fact that some of these smoke detectors would not cost more than \$12 or \$15 even if we had them hooked up with an electrical unit. I didn't sense that at the Wednesday session though, it seemed

to me that I was looking at about a hundred some dollars or so and I still wonder about that and because of that I felt and saw this request by some of the major owners of apartment buildings throughout the City of Pittsburgh that possibly we should at least give them an airing as to how they feel. I think the bottom line Mr. President, is going to be how much is it going to cost per unit. And, if the cost can be kept down to a reasonable rate, then I think it would be acceptable and everyone would want to go along with it. However, if it is going to reach that \$100 per unit, then I think there is going to be some great discussion and concern as to the maintenance of this equipment and the cost of installation, the first installation of this equipment.

**Michelle Madoff:**

Mr. President, I believe we addressed that at our public hearing and I think when it comes to saving lives, whether you are a landlord or anybody that owns property, I think there is a moral responsibility, it is a tax deductible item and I don't even think we should look at the dollar figure unless it becomes absolutely out of line and since I called, they put them in in two weeks, I don't think that we are talking about any excessive amount.

**Mr. Givens:**

No, I think people put within their apartment buildings many escape routes in case of fire, and people are concerned that their private and personal being, they can go out and also purchase a smoke detector if they want it for their own use. I even question the fact of putting some of these smoke detectors that they have on the market today, for example, in areas that are not normally inhabited, like a furnace room. If I put one in the furnace room nobody is going to hear it, but the mice maybe that might be running around down there.

**The Chair:**

Do you have mice? I thought all the mice were in Squirrel Hill.

**Mr. Givens:**

Well, occasionally they come in the house.

**Michelle Madoff:**

Put them in the halls, Dick.

**Mr. Givens:**

If you even put it in the basement, again, there would have to be something — but I felt the ordinance could be amended so we could have an alarm system that would make people aware that there was, in fact, smoke or the possibility of a fire. They are so sensitive, if you have a party in your house and they will go off.

**The Chair:**

Mr. Robinson, correct me if I am wrong, we have eliminated single unit homes, individually owned homes and we felt that it was possible to put them into tenant homes and what have you. I see your point Mr. Givens, it may be costly even to those people, but at the same time, if they don't take some precaution for their tenants and the tenants don't go out and get the necessary equipment then we could have fatal fires as we have had in the past. Obviously, there is nothing stopping a tenant from going out and getting a smoke detector on his or her own, but perhaps the landlord or landlady should do this, but I see your point about the cost.

**Michelle Madoff:**

Mr. President, one thing that was in the bill that I had introduced which was spelled out very clearly, was the Underwriter Lab, or for the sake of argument, was the Good Housekeeping Seal of Approval, so that you at least had a good one, and I think that — I hope that what Mr. Givens is saying is that he is a good citizen and as a landlord would never hesitate to put in smoke alarms on the stairwells or in key places in his buildings. He would lead the way as an example for the City, and I

am sure the cost is not prohibitive if other people are doing it and you can write it off as a business expense. I don't see how, when we have had four deaths in the past year in rental units, that we could even think about what the cost is. I think we have to think about lives.

**Mr. Stone:**

Mr. President, if I may, if you will recall, when the group from Mission Street had been in here, one of the issues they had brought up was the matter of the care and maintenance of railroad property. At that time I asked the City Solicitor to obtain an opinion for relative to that matter. To my knowledge I haven't gotten it yet. Has anyone else gotten the thing yet?

This is not the first time that we have asked for that particular matter, so in order to move it once and for all, I would like to move that the City Solicitor research and investigate the legal proceedings necessary for the City to enforce the cleaning, maintenance and care of property owned by all railroads within the City of Pittsburgh in accordance with the minimum standards for this City. The City of Pittsburgh is not exempt from its own ordinances and quite obviously the railroads deserve no exemption either. At our railroad crossings we have some tracks protruding up in the air and we are not able to pave the things which we did, probably without proper authority, but in order to correct some of the problems that they had not done, this is creating a dangerous condition for life and causing a lot of property damage. The debris that they leave on their tracks all over is a health as well as an esthetic problem. The grass that they leave uncut creates some health problems as well as being a hiding place for many unlawful acts. The sidewalks wherein you have other people having a sidewalk on one side of the street and a railroad on the other, you find that one is clean and the other is not clean and this is only going to lead to a lackadaisical attitude and the loss of incentive for the others to continue. I think it has to stop, I think it has to be contained and therefore I am

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moving that the City Solicitor prepare the necessary documents for a lawsuit. Once we have the research done, once the documents are prepared, then I propose to call in here, on a post agenda item, all individuals of responsibility in the railroads and if we can't work it out amicably at that time, suit will immediately be instituted. This matter has dragged too long and it is not in the best interest of the City. I would therefore so move.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to excuse Sophie Masloff for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, May 19, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Givens**,

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, June 9, 1980

No. 23

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.  
Monday, June 9, 1980

#### PRESENT:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

#### ABSENT:

Mr. Givens                      Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1011 Resolution authorizing the issuance of a warrant in favor of Trumbull

Corp. in the amount of \$15,462.67 in payment for "Extra Work" in connection with the construction of Herron Avenue, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1012 Resolution transferring the sum of \$65,000.00 from Contingent Fund No. 42-2 to Code Account No. 1174 Rental of Equipment, Department of Environmental Services.

Also,

No. 1013 Resolution transferring \$41,093.08 from LPWEA Trust Fund to (WD-77-15).

Also,

No. 1014 Resolution transferring \$1,250.00 from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1015 Resolution providing for an Agreement or Agreements with Ackenheil and Associates for geotechnical engineering services in connection with the Frantum Street Bridge over Saw Mill Run, and providing for the payment of the cost thereof.

Also,

No. 1016 Resolution vacating Annapolis Street from Cornell Street to its northerly terminus in the 27th Ward of the City of Pittsburgh.

Also,

No. 1017 Resolution vacating and providing for the conveyance of a portion of Cherry Way between Third Avenue and Fourth Avenue in the First Ward of the City of Pittsburgh, excepting and reserving all City of Pittsburgh water and sewer lines therein.

Also,

No. 1018 Resolution repealing Resolution No. 447, approved May 22, 1980, effective May 27, 1980, entitled, "A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution grant contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures, creating a special trust fund in connection with the project and providing for the deposit in a bank account".

Also,

No. 1019 Resolution amending Resolution No. 488, approved May 24, 1979, effective May 29, 1979, entitled, "A Resolution providing for the taking, appropriating and condemning by the City of Pittsburgh, for public sewer easement purposes, certain property of Dorothy M. Reynolds; William Vernon Hunter and Elizabeth J. Hunter, his wife; Leonard L. Coppola, Jr. and Patricia A. Coppola, his wife; Wayne R. Marlett; Albert T. Ferrari; Raymond C. Ward and Margaret I. Ward, his wife; R. G. Emanuel and Marie L. Emanuel, his wife; George S. Reynolds and Dorothy M. Reynolds, his

wife; Donald M. Melzer and Karen A. Melzer, his wife; Walter Foster and Marie Foster, his wife; Nick James Brack and Elsie Brack, his wife; Alexander and Cynthia A. Lawson, his wife; Paul T. Moore and Bernadette Moore, his wife; Albert J. Dvorsky and Mary Dvorsky, his wife; and Mathias N. Miller, Mathilda Miller, his wife and Louis Miller; situate on Mifflin Road and private property in the 31st Ward of the City of Pittsburgh" be redefining funding sources.

Also,

No. 1020 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting amendment of prior authorization on April 21, 1980 for Messrs. McGee, Gergerich, Kline and Stofko, to attend Bloomfield Bridge Task Force Meeting, Harrisburg, Pa., changing date to June 5, 1980 at cost not to exceed \$580.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 1021 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$12,500.00 to Beckwith Equipment Company for required repairs to high-lift, to be payable from Code Account 4-01-30-0949-80.

Also,

No. 1022 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$520.00 for emergency work in connection with Chestnut Street site demolition and backfilling, to be payable from Bond Fund 227-100, 4-01-00-0001-73.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1023 Resolution providing for the issuance of a warrant to Rea Construction



Co., Inc., in the amount of \$1,912.54, W. G. Tomko & Son, Inc. in the amount of \$1,297.46, and Solar Construction Co., Inc. in the amount of \$452.01; totalling in the aggregate \$3,662.01 in payment for extra services furnished for the benefit of the City in connection with construction of No. 32 Engine Company, Golden Triangle and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 1024 Resolution providing for the sale of property on Blair Street in the 15th Ward, being vacant land, designated as Block, 56-N, Lot 93, to Peter & Stephanie B. Fedyshin, his wife, for the sum of \$1,300.00.

Also,

No. 1025 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$975.00 to Pittsburgh Testing Laboratory in connection with testing of valves in City-County Building, to be payable from Capital Project LB 79-11, Renovations of Various Public Buildings, 4-25-15-0001-79), Department of Lands and Buildings.

Also,

No. 1026 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$730.00 to Carrier Air Conditioning for emergency repairs to central system at Public Safety Building, to be payable from Capital Project LB 78-08 (4-25-15-00001-78) Renovations of Various Public Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 1027 Resolution providing for the issuance of a warrant in favor of Braun-

lish-Roessle Electrical Repairs, Inc., P.O. Box 2831, Pittsburgh, PA. 15230, in the amount of \$6,324.25 in payment for the purchase of a 400 H.P. Motor for the Saline Pumping Station and providing for the payment thereof.

Also,

No. 1028 Resolution providing for the issuance of a warrant in favor of A. F. Shane Company, 654 Alpha Drive, RIDC Park, Pittsburgh, PA, 15238, in the amount of \$895.68 in payment for repair of an Onan Generator and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1029 Resolution providing for a contract or contracts for the cutting and plugging of a 12" water main in conjunction with the demolition of the Pennsylvania Avenue Bridge; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Water.

Michelle Madoff for Mrs. Masloff presented

No. 1030 Resolution providing for agreements for personal or professional services and for a contract or contracts, or use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment of the costs thereof.

Also,

No. 1031 Resolution providing for an agreement or agreements with the School District of Pittsburgh for use, by the City, of certain facilities owned by the School District and for use by the School District of certain facilities owned by the City during the period of January 1, to December 31, 1980 and from year to year thereafter.

Also,

No. 1032 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Michael Senko, to attend Senior Center, Administration Seminar, Ann Arbor, Michigan, June 23-25, 1980, at cost not to exceed \$390.00, payable from Code Account 1843, Department of Parks and Recreation.

Also,

No. 1033 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,178.00 for extra work in connection with Arlington Heights Recreation Center Renovaton, General Contract, Controller's Contract No. 24221-F.

Also,

No. 1034 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting approval of payment of \$4,317.00 for extra work in connection with Olympia Park Recreation Center Renovation, General Contract, Controller's Contract No. 24047-F.

Also,

No. 1035 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$487.13 for extra work in connection with Olympia Park Recreation Center Renovation Plumbing Contract, Controller's Contract No. 24046-F..

Also,

No. 1036 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,163.89 for extra work in connection with Arlington Gymnasium Plumbing Contract, Controller's Contract No. 23667-F.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 1037 Resolution providing for the issuance of a warrant in favor of the General Electric Company, P.O. Box 4176, Lynchburg, Virginia, 24502, in the amount of \$84,091.00, in payment for the purchase and installation of radio equipment furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 1038 Resolution transferring \$4,000.00 from Code Account No. 42, Contingent Fund, to Code Account No. 1838, Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 1039 Resolution authorizing an agreement or agreements or the use of existing agreements for professional services to be provided to the Uptown Little League.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1040 Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V. Chapter 993 for authorization to construct a Four-story and Basement Institutional Facility (Housing and Nursing Care for the Elderly) containing 180 beds with outside parking for 107 cars to Lemington Home for the Aged. The property is zoned "I-M" Institutional-Medical District and has 265 feet of frontage along the northerly side of LINCOLN AVENUE between CAMPANIA AVENUE and ROSS GARDEN ROAD, 12th Ward.

Also,

No. 1041 Communication from Edward deLuca, Director, Department of City Development, requesting amendment of prior travel approval in connection with travel by Director deLuca and one staff member, to York, PA., May 6-7, 1980, to attend Penna. Council for Urban Economic Development Annual Conference, by including authorization for use of City vehicle to permit reimbursement for expenses for tolls and gasoline.

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1042 An Ordinance amending the Pittsburgh Code by correcting inadvertent typographical and editorial errata therein.

Also,

No. 1043 Resolution providing for the issuance of a warrant in favor of Monte McChester, in the amount of \$1,000.00 in full settlement of claim for alleged false arrest and false imprisonment, and providing for the payment thereof.

Also,

No. 1044 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also,

No. 1045 Resolution providing for an agreement or agreements with St. Francis General Hospital for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof.

Also,

No. 1046 Resolution providing for the

filing of an application by the City of Pittsburgh with the United States Department of Labor for a grant in connection with the Comprehensive Employment and Training Act, as amended, Title III Project providing for the execution of Grant Contracts data; approving the Comprehensive Employment and Training Act, as amended, Title II Project, providing for required assurances providing for execution of payment execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the CETA Trust Fund.

Also,

No. 1047 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Michael Herman, Training and Development Specialist to attend Conference of Statewide Private Industry Councils in Harrisburg, PA, June 9, 10 and 11, 1980, at a total cost not to exceed \$274.00.

Also,

No. 1048 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting permission for Human Relations Commission Members and Staff to attend administrative hearing training seminar, Redwood-Quality Inn Hotel, June 25, 1980, at cost not to exceed \$500.00, payable from Code Account EEOC-2, Agency Improvement Grant, Commission on Human Relations.

Also,

No. 1049 Communication from John E. Gabriel, Ex. Director, Commission on Human Relations, requesting permission for LaVerne Burden, to attend U. S. Office of Personnel Management Training Session "Introduction to Supervision", Pittsburgh, PA, June 23-27, 1980, at cost of \$150.00, payable from EEOC Trust Fund.

Which were severally read and referred to the Committee on Finance.

**Mr. DePasquale presented**

No. 1050 Petition from the Senior Citizens of the Concerned Mothers of Terrace Village Multi-Purpose Facility Bldg., requesting a hearing for emergency funds to help keep their building from closing on June 17, 1980.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1051 Petition from concerned citizens of the City of Pittsburgh requesting a public hearing before City Council for the presentation of a "Declaration on Abortion" by the Christian Pro-Life Task Force and a discussion of the City's response to the menace of abortion-on-demand.

Which was read and referred to the Committee on Finance.

#### **REPORTS OF COMMITTEES**

**Mr. Stone presented**

No. 1052 Report of the Committee on Finance for June 4, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 927

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Talley Corporation in the amount of Four Hundred Forty Eight Dollars (\$448.00) in payment for repairs and parts furnished for the benefit of the City in connection with a Talley Reader Head, Model #1176; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 928

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to J-Jac Construction Corporation in conjunction with the Repaving, widening of Fifth Avenue from South Highland Avenue to Penn Avenue, Controller's No. 23253-F and reducing the retained percentage from ten (10%) percent to one percent."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>

Ayes 6 Noes none

(ONE ABSTAINING—  
MR. DePASQUALE)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 929

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Noralco Corporation, in the amount of Three Hundred Twenty (\$320.00) Dollars, in payment for Extra Work furnished for the demolition of the Fulton Street Footbridge, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 946

A Resolution entitled, "Resolution transferring \$16,129.38 from Criminal Justice Planning Unit No. 2 Trust Fund to People Watching Out for People Trust Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 955

A Resolution entitled, "Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$1,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 956

A Resolution entitled, "Resolution providing for the issuance of a warrant to Duquesne Light Company in the amount of \$1,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 957

A Resolution entitled, "Resolution providing

for the issuance of a warrant to Duquesne Light Company in the amount of \$967.19 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 958

A Resolution entitled, "Resolution providing for the issuance of a \$889.11 warrant to Liberty Mutual Insurance Company and Sharon L. Koseka in full settlement of their claim for automobile damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 959

A Resolution entitled, "Resolution providing for the issuance of a \$1,351.34 warrant to Security Insurance Company and S. Lewis and Marlene Auerbach in full settlement of claim for vehicle damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 960

A Resolution entitled, "Resolution providing for the issuance of a warrant to Lawrence Rea in the amount of \$1,093.60 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 961

A Resolution entitled, "Resolution providing for the issuance of a \$760.00 warrant to Edward and Wilma D. Ramolt in full set-

tlement of claim for property damage, and providing for payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 962

A Resolution entitled, "Resolution providing for an Agreement or Agreements with St. Francis General Hospital for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 999

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$2,808,500 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from January 1, 1980 through May 4, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. President, I have a question — perhaps Mr. Stone could clarify something for me. On the first item, 1001-2, Services and Salaries of Council, as needed, \$16,000.

**Mr. Stone:**

That is an as needed relationship — you are talking about that transfer of funds?

**Michelle Madoff:**

Yes, I spoke to Mike Perry the other day, and he, if I am not mistaken, and you might want to check it further — are those the salaries for aides that were not used?

**Mr. Stone:**

Yes.

**Michelle Madoff:**

And he feels that Councilmembers have the right to hire five people in the last six months perhaps during budget — that seems valid.

**Mr. Stone:**

That may be true, what we did was keep a consistency, and as we have indicated to the budget staff, when he is instructed to carry out a program he carries it out to everybody and nobody is exempt from that rule and that is how it turned out that way. If we end out having that need later, we will resolve that at that time.

**Michelle Madoff:**

What you are saying then is that you can transfer it back out, is that correct?

**Mr. Stone:**

But at this present time there was a rule set, the rule applies to everybody without exception and that is the way it was done and I stand behind the budget staff in doing it that way.

**Michelle Madoff:**

I have no quarrel with it I just wanted to get some clarification.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 1053 Report of the Committee on Public Works for June 4, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 930

A Resolution entitled, "Resolution amending Resolution No. 308, approved April 18, 1980, effective April 25, 1980, entitled, 'A Resolution providing for an Agreement or

Agreements with Pullman Swindell, Division of Pullman, Incorporated, for Engineering Services in connection with Charles Anderson Bridge (PW 76-17); and providing for the payment of the cost thereof, by redefining funding sources."

Which was read.

Also,

Bill No. 931

A Resolution entitled, "Resolution amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by amending line items in Exhibit 1."

Which was read.

Also,

Bill No. 932

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Engineering Services in connection with a new Asphalt Plant for recycling bituminous materials; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 947

A Resolution entitled, "Resolution supplementing the Pittsburgh Code, Title One, Administrative, Article IX, Boards, Commissions, and authorities by adding a new Chapter 173, 'Environmental Commission'."

Which was read.

**Mr. Robinson:**

Mr. President, I would like to move to recommit Bill No. 947.

**Michelle Madoff:**

I just asked Mr. Robinson, and I think he does not agree, although I am sure he would not be adverse to working with him on the Environmental Committee. But, I wondered whether it would not be a good idea to include "Energy" in this Commission so that we do not have to set up another commission on energy, it could become the Environmental and Energy Commission, because when you get — hopefully we get the refuse, or the solid waste and turn it into kilowatts and they certainly go hand in hand. It seems to me with 35 members, is that correct?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

This large body of people — I'm sure that many of the people in the Environmental movement and Energy field that I have been associated I could just give you a list of names, you could pick at random, some are corporate people, some are not, in the private sector — I think you would



have enough people that a committee could be formed that would be an energy subdivision, but then it should become, from my perspective, an Environmental and Energy Commission. Does anybody have any feeling on that.

**Mr. Robinson:**

I just think it would be inconsistent at this point to include energy as one of the areas of concern. I don't see anything in the bill, as is presently constructed or as it is going to be constructed that would preclude what Mrs. Madoff is referring to. Certainly I think that mandate to address the Environmental and related issues is spelled out pretty well.

**Michelle Madoff:**

Well, I think you would agree Mr. Robinson, that we have a situation right here in the City-County Building, I have tried to get Mr. D'Alesandro, and he has been working on getting me some information — but on off-peak hours downstairs, there are four people, they press both sides for the elevator, six elevators come, four people get in four different elevators, and we have an energy crisis.

We had a report that I put out through my office last year on solid waste, to kilowatts, but I just don't have the staffing and the ability to follow through on it by myself. This Board would probably be a logical place to pursue it. However, I don't think unless you make it an Energy Environmental Commission, and I see no reason why you can't put one extra word in, that it really is covered, its sort of, do we set up another commission? I was appointed by Mr. DePasquale some time ago to head the Sub-Committee on Energy and I should report and I will later after this meeting, but I have met with the downtown Committee of the Allegheny Conference, etc., etc., and there are some very major things that concern Council in the wind right at this moment. After the meeting I am going to touch on them unless it is your wish that I do it right now Mr. DePasquale.

**The Chair:**

I go along with your feelings on energy, I am at a loss though in regards to the elevators, are you saying there were too many people on the elevators —

**Michelle Madoff:**

What I am saying Mr. DePasquale, is that we should have a timer, or somebody downstairs, so that four people go in one elevator and the others wait until we have people instead of four people going in four different elevators, and six of them coming down. We have some internal energy problems, we have to deal with the Allegheny Steam Heat problem, what is the City going to do about heating its buildings, what is the County going to do, I talked to Cyril Wecht yesterday, we are going to set up a meeting immediately because he leaves for China next week, and we have a crisis to decide, perhaps in the next two weeks, what we are going to do, gas or steam heat, central plant and they all tie in. Unless it is the wish of this Council that we have a separate energy commission, that is fine with me. I just think it would be appropriate to do it collectively because one ties into the other, if you have solid waste you make energy.

**The Chair:**

Did I hear right, Wecht is going to China?

**Michelle Madoff:**

That's right. He'll probably get us a little business there.

**The Chair:**

Rotsa ruck.

**Michelle Madoff:**

Not even on a slow boat. Could we have a census on whether we should expand this from — I make it a motion that we

change it to Environmental and Energy Commission.

**The Chair:**

The Chairman doesn't seem inclined to do so, if you want to make a motion you make the motion.

**Michelle Madoff:**

That is my motion, would anybody like to second it?

**Mr. Stone:**

Mr. President, point of order, we have a motion on the floor to second, I think we have to rule on that motion first.

**The Chair:**

The motion to recommit — is there a second?

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I make a motion to include energy — it would become the Environment and Energy Commission.

**Mr. Stone:**

My belief is that we should handle this thing in a separate level for a while until we find out whether they rightfully blend and if they blend at that time, then it seems to me we might go into a joint process. We seem to be trying to gulp up too much in one bite, it might be better to deal with in specifically —

**The Chair:**

We could be dealing with a complete separate thing, and if it is so important, maybe it should be dealt with separately.

**Mr. Stone:**

That may, down the line, come out to be that, but I think Mr. Robinson has very clearly indicated that what he has done here doesn't preclude the other and since there is no danger to the other I think we ought to look at that as a separate matter, frankly.

**Michelle Madoff:**

Well, in your experience dealing with Southwestern Pennsylvania Regional Planning, as you know, they are taken as a joint effort. Almost everywhere they are dealt with — in the Air Pollution Bureau they are dealt with as a joint effort. You may have a point from the perspective of the numbers of people it might get unwieldy. Maybe we could have some kind of a loose arrangement, or some people representing each body that would meet together and have it as a separate commission. I just think there is a tremendous need to start something in energy other than one person such as myself or one staff person who works part time in the Administration dealing in energy. I think it is probably the major issue before the public today when they are confronted with their bills.

Is it suggested then that we start a separate commission? And my question then is, how do you fund this bill, how are you planning to get some dollars for your minutes and your staffing and so on, is it spelled out in your bill?

**Mr. Robinson:**

No, I think that there are a number of commissions and boards in the City of Pittsburgh that handle it differently, some of them have staffs that are mandated through the budget process, other boards and commissions are given staff assistance by the various departments, so I don't see that as a real problem.

**Michelle Madoff:**

Do you see any dollars for transcripts

of meetings that are important? Things that we are going to need? I'm just wondering if you shouldn't allocate a budget for this.

**Mr. Robinson:**

Well, there is no opportunity for us to allocate a budget at this time, it would have to be done a budget time. Within the bill itself, the Commission has the power to solicit funds pursuant to the Home Rule Charter, which means that Commission could come to Council through the appropriate Committee and request a budget allocation.

**Michelle Madoff:**

Then it is your wish and Mr. Stone's impression that you should go as a separate and apart entity.

**Mr. Robinson:**

I think at this point it would be appropriate.

**Michelle Madoff:**

It's fine with me, we can always work together on that. Mr. Robinson and I get along fine, I think.

**Mr. Robinson presented**

No. 1054 Report of the Committee on Planning, Housing and Development for June 4, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 814

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County

as Block and Lots: 57-C-194, 199, 200, 201, 202, 203, 205, 206, 57-D-1, 4, 8, 14, 26 located on Sunnyside Street, Alameda Street and Renova Street." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 948

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Economic Development Administration for a grant in connection with the Strip District Produce Terminal Project; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Strip District Produce Terminal Project; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

**Michelle Madoff:**

Mr. Robinson, on Bill No. 948, on the Strip District Produce Terminal, that is strictly on the Produce Terminal, has nothing to do with this blight, and the scene that went in with those 150 people who went bananas thinking they were taking their homes and doing a study there, that is not for that money is it?

**Mr. Robinson:**

No.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty for Mr. Givens presented

No. 1055 Report of the Committee on Supplies for June 4, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 941

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office furniture (conference tables, desk chairs, etc.) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 991

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a plastic salt cover, 100'-0 x 125'-0, for the Department of Public Works, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff for Mrs. Masloff presented

No. 1056 Report of the Committee on Parks and Recreation for June 4, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 943

A Resolution entitled, "Resolution providing for an agreement or agreements for professional services in connection with the City of Pittsburgh Fourth of July Celebration and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Wednesday I stated that I was opposed to the City taxpayers picking up \$14,500 for fireworks. I love fireworks and I would enjoy seeing them, but I think that it is irresponsible, when I arrived here today and saw youngsters picketing outside this building saying we need

jobs. I think the \$14,500 could be put to better use, it is irresponsible that we would spend the taxpayers money this way when the County is not kicking into this kitty, when we have the third largest home base headquarters in the community who ought to be picking up this tab. They can write it off and we could perhaps have a little better fireworks display than we had last time, I think it was twenty minutes or something. I don't see how we could even think of voting for this when people are so hard up, we have a recession.

**The Chair:**

Did I see right in the Post Gazette this morning, that the Mayor is going to ask the County to come in on the Zoo?

**Michelle Madoff:**

He finally listened to me.

**The Chair:**

Well, maybe you are getting to him.

**Michelle Madoff:**

I keep sticking a hatpin in his butt.

**The Chair:**

It's no more than right, I mean they share it and that is a fact, probably more so than the City residents.

**Mr. Stone:**

I have to take the view completely opposite of the last speaker, because I remember July 4 having a lot of color and a lot of fireworks and they were rather enjoyable days as a young person and I am sure that the young people today probably enjoy it as much or probably more than I and I would be one of the last persons to ever deny them that little bit of fun, but I am also taken back by a thing, that this was in the budget in December when we passed it and I didn't hear any complaints

that the money is there at that time and it seems to me that you can't in December, vote to spend it, and then come down now into May and say we shouldn't have it. You can't always have both sides of the coin all the time. Somewhere you have to either be —

**The Chair:**

In all fairness Bob, was that item specifically listed in the budget for fireworks?

**Mr. Stone:**

It has always been in, it has been in the budget every year.

**Michelle Madoff:**

Even Mr. DePasquale as President didn't know that, so why are you picking on me?

**Mr. Stone:**

The same thing applies to him, it is in the budget.

**Michelle Madoff:**

Oh. tsk, tsk, we were remiss Mr. President.

**The Chair:**

I have to agree with Mrs. Madoff that it is a waste of money, but that is something else.

**Mr. Stone:**

But I don't think we should deny the young people today, that is one of the real colorful things that happen on July 4 and they ought to be able to enjoy it.

**Michelle Madoff:**

I agree, we should not deny them, we should get the money elsewhere. Mr. Stone, would you like to start a fund?

**Mr. Stone:**

You seem to be the one with the money Michelle.

**Michelle Madoff:**

Not from what I hear, I hear you have all the money. I am going to vote no on Bill No. 943.

**The Chair:**

I will vote aye reluctantly on Bill No. 943.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Mr. O'Malley</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 6    Noes 1**

**(MICHELLE MADOFF VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 944**

A Resolution entitled, "Resolution providing for an agreement or agreements with the Center for Environmental Intern Program Fund, Inc., for an Environmental Intern Program in conjunction with the Young Adult Conservation Corps Program."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

**Ayes 7    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 1057 Report of the Committee on Lands and Buildings for June 4, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 933**

Resolution amending Item (B) of Resolution No. 402, approved 5/12/80, for the sale of property on Butler Street, 10th Ward, designated as Block 121-A-29. Amendment is to change spelling of Na-whinney to Mawhinney (former owner).

Which was read.

Also,

**Bill No. 934**

Resolution amending Item (C) of Resolution No. 402, approved 5/12/80 for the sale of lot on Kincaid Street in the 10th Ward. This Amendment is to correct the lot size from 18.75 x 45 to 18.71 x 45.

Which was read.

Also,

Bill No. 935

Resolution amending Item (K) of Resolution No. 402, approved 5/12/80 for the sale of property on Perrysville Avenue, 25th Ward, Block 23-A, Lot 240, to Albert F. Riggs. This Amendment is to correct the lot size from 25 x 63 to 25 x 62.

Which was read.

Also,

Bill No. 936

Resolution amending Item (H) of Resolution No. 189, approved 3/21/80 for the sale of property in the 32nd Ward being vacant land on Georgetown Street (139-D, 43, 4, 5, 7, 8. This amendment is to correct the Plan name from Overbrook Terrace to Fairhaven Terrace.

Which was read.

Also,

Bill No. 937

A Resolution entitled, "Resolution further amending Exhibit 1 of Resolution 1038, effective January 6, 1977, as amended by Resolution 424, effective May 22, 1980, entitled, 'Resolution adopting the 1977 Capital Budget allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds', by re-allocating funds for the Department of Lands and Buildings."

Which was read.

Also,

Bill No. 938.

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties

acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I have a number of items. I brought in a display ad which I would like Mr. Perry to receive. We have had some discussions as to where notices should be placed, display ads. I am a firm believer they should not be with the legal notices, they should be where they are more likely to be seen, this is in the business section. The one I refer to is a notice of public hearing on Environmental Quality Board. I just thought he might like to see that, I will give that to Mr. McCray.

I would also like to touch on the article that appeared in the Sunday Press, "City Cops Complain Fleet Is Dangerous, 36 New Cars Due". I went back to a list of post agendas that I had prepared last year and on May 2, 1979, I think that was the first time — excuse me, it was February 28th of last year. There was a dis-

cussion in Council, a post agenda, on exactly the issue of cars being provided to our police and other departments because of the terrible condition they were in, the garage and so on. Subsequently, Director Yatch did come to Council with a report recommending that certain actions be taken. I think a bond that would be paid out of operating costs, and that has been in the works. I think its really unfair to have the police driving in dangerous cars because our present administration has been there three years and if it was so bad, what have they done in the last three years, why lay this on 7½ years of previous administration. It may or may not be true, but we have had a new administration for three years and if we had a situation with bad cars, as Finance Chairman, I am sure that if somebody had come to Mr. Stone early on this year or the previous year and addressed it as a specific issue we would have dealt with it. There are, at this moment, Two Million Dollars in Code Account 42 and I don't know what the legal ruling would be, but it would seem to me that if indeed we are in a terrible plight because of automobiles and we need to get additional cars, perhaps that money could be allocated for cars. I think when people read this it reflects very poorly on our Council that we don't care enough to see that people who work and put their lives on the line don't have the right vehicles.

**The Chair:**

Well in all fairness, Michelle, I think this Council has been saying, at least as long as I have been a member, regardless of what it costs, obviously the equipment should be up to date and should be the best.

**Michelle Madoff:**

That is correct.

**The Chair:**

Back seven or eight years ago it was absolutely deplorable. Recently, I'll tell you the truth, I haven't been on top of it that

much, but according to the reports it is still in pretty much bad shape, but to refer to the Finance Chairman, do we have any plans for emergency funds or what have you Bob?

**Mr. Stone:**

We are attempting to meet in the bonding authority, I got a call from Mr. Yatch last week, either tentatively at 3:00 today or some time this week, we will be meeting on that matter to try to expedite it, in fairness I got a call last week on it.

**Michelle Madoff:**

But we would all agree that the present administration has been there three years and you cannot put the blame on someone else when you have been three years watching it happen.

**The Chair:**

I can't dispute with you, it is a fact.

**Michelle Madoff:**

On another item, I understand I had some phone calls that in the near future Council is going to be presented with a bill on the Ross Street Extension. As you may recall in Council, on numerous occasions, I had requested from Director Lurcott, a study that was done some time ago, wherein, he told me by phone, as did his staff people, that the reason that they were going to condemn the Interlude and take the Interlude for the Ross Street Extension, had nothing to do with U. S. Steel, it was because that would be the better way to go. I asked for that report, he told me that U. S. Steel had fought this action and they finally convinced them that the Ross Street Extension was the right thing. I called Mr. Lurcott three times, he finally returned my call today, we connected, he has been trying to reach me, he did not deliberately not get me, but we finally connected this morning and I asked him for that report and he said, the reason he hadn't received it was that the report he thought said that,



but it didn't really say that, it said, there was some reference to the Ross Street Extension, but not that that was the way to go, there were two choices, there was that way and perhaps another way that Mr. Stone has touched on which is sort of circumferal, kind of, re-routing of traffic. I have as yet not received the report, I will get that part of it today and he says they are going to put something together from discussions that were held at a later date.

From the gentleman who owns the Interlude, I received the briefs and some correspondence from his lawyer and I think it is a very interesting item that I would like to share with Council. There is a sentence in this letter that says, "the position of U. S. Steel was that they were not interested in buying", this is referring to buying the Interlude, as the City could take it anyway, "Meanwhile, as you will note", the attorney writes, "U. S. Steel has been unwilling to answer the question," that is a note for motion of sanction, "as to why they want the property in light of their sworn statement that they don't need it. I believe they think they can get condemnation approval before they answer and thus do not want to answer."

I don't want to be sandbagged again as we were on PPG. I don't want to find out that we get a bill before us and the Mayor once more says, "You've got twenty minutes", and all the media and editorial writers say, "Council is the stumbling block, Council is the bottleneck, move quickly so we can have Renaissance II well on its way". I don't know that I would vote against or for Ross Street Extension. I think it is an underutilized Street and maybe that is the right way to go, but I think it is a disgrace that when we ask for material, we are expected to vote in a vacuum or vote very quickly, because as you know, part of the deal with Dravo is that that building get under way immediately. It seems to be a little hanky-panky in the wind. Either — U. S. Steel, if they don't want it, I don't know why they are bidding on it and if indeed they are bidding on it, trying to get it at a price that the Interlude is not willing

to sell at, for example, I understand that the Interlude, and this is fact, has told U.S. Steel that they would like them, U.S. Steel, to go out and find a comparable building, comparable space, price it and give them that price, which sounds fair to me, plus a small amount for 30 years of business and goodwill that they have created so that they could continue in another place. If U.S. Steel doesn't need it, why are they bidding on it? Why is the bid now up to close to a Million Dollars? Why are they saying that if we don't get it from you, we will get it anyway, assuming that Council will vote for it and they will take it regardless. I don't like that way of doing business and I want to be on record as saying so.

**Mr. O'Malley:**

Mr. President, to take a stand a little bit on what Michelle says, I was informed that the property around the Interlude was purchased originally by Mellon Bank for \$14 Million Dollars. Then Mellon Bank turned around and sold it to U.S. Steel for \$7 Million and took a \$7 Million tax write-off. And the question, I think, that has to be answered here, is, if this Ross Street Extension goes through, will the City of Pittsburgh and the City Councilmembers be responsible for buying that property off of U.S. Steel? And at what price do we have to purchase it?

**Michelle Madoff:**

I'm sorry, you are right, I had not finished that —

**The Chair:**

No...no, the only property that would be involved then, is the Interlude, and obviously under Eminent Domain, they will condemn the Interlude and then they have an appraiser come up with some figure and it is considered they will be in the neighborhood of about \$200,000 or \$250,000. As of now the gentleman has been offered over a Million Dollars which isn't as big as it seems, because after taxes and what have

you, he would be lucky to clear a quarter of a Million Dollars.

**Mr. O'Malley:**

What I am saying is, the property on either side of the Interlude —

**The Chair:**

Well, the property that is there now is owned by U.S. Steel, obviously if we vacate the streets, the City doesn't own or won't have to negotiate for that property. They have their property, they can do anything they want with it, with the exception of putting a building up if we don't vacate those streets.

**Mr. O'Malley:**

From what I understand, Ross Street is going to have to go through their property.

**The Chair:**

Not necessarily, if they have to they can, I think, turn it around, at least that is what they indicate and I doubt if they want to do that, it maybe too costly, but at the same time, I think they are getting a little closer to an agreement with Mr. Manilis and the thing may be straightened out, but it is still not quite settled from what I understand.

**Michelle Madoff:**

Mr. DePasquale, I am sorry I didn't continue, but what I am hearing —

**The Chair:**

If I may add, the sad part of the whole thing is that they are not talking about tearing down the Carlton House until maybe January, they were in a big rush to get those people out and they practically threw some of them out in the street and the only two down there now I understand, is the terminal cancer patient and a 90 some year old woman, and they have got

them more or less where they want them because they can't do anything about those two until, God forbid, the one expires, or the other, for that matter, with cancer. So, they could be stuck longer than that, but what their hurry was, and we begged them for at least six more months and they wouldn't give them to us and I can't understand, when they are talking about now, not beginning to tear it down before January.

**Michelle Madoff:**

In line with what Mr. O'Malley has touched on, what I have been hearing from my sources is that if the City will trade a part of the property the Interlude is on, then U.S. Steel will be getting Court Place, there will be a trade-off, they have already negotiated a private trade-off which Council is not privy to and I don't like to vote on things that have been negotiated that we don't know anything about. If indeed an agreement is not reached between the Interlude and U.S. Steel, who says they don't want it and they don't need it, and if the City then buys it, a trade has been worked out according to my information, where they would get part of that Interlude property and in exchange U.S. Steel would get part of Court Place which they need and I think that is what you are talking about.

**Mr. O'Malley:**

Exactly.

**The Chair:**

Sadly, Michelle, the City turned its back on the PPG Project and more lately on this one over here. It is a sad thing, that even if only one business is involved and maybe forty, fifty residents, or how many permanent residents are involved, and how many jobs, I guess maybe 150 to 200, that the City Administration wouldn't see fit to have some feeling for and try to work out a much better deal than they did. My feeling in the matter was and I believe Council shares it, that those people should have been given more time to locate

another residence and those that had jobs should have been given more time to try to find other jobs or at least they should have been trying to find them jobs. And the only alternative it seems that they gave them, and I am talking about U.S. Steel's Real Estate Department, was jobs in Florida and I thought it was sort of a smart remark, but the gentleman said, "Well, the weather is nice down there". Well you just don't uproot yourself and go to Florida after 50 or 60 years in the City of Pittsburgh regardless of how nice the weather is and start out all over again, because those people just aren't inclined to do that. It was cruel, it was vicious but the Administration went along with their plans.

**Michelle Madoff:**

Mr. DePasquale, I think it is important that it is a matter of record that Council is not the obstructionists, we are not the obstructionists, we want to see the tax base increased, we need the taxes so we don't have to raise them within this body. I don't think anyone would dispute that. I just resent that when negotiations are done in private and behind the scene —

**The Chair:**

Rather than be obstructionists, we are probably the last bastion of hope because it seems whenever no one else can do anything they appeal to Council and in most cases Council has responded. We responded here and we will respond again.. I say they will have to put a gun to my head before I vote for the vacation of streets, and if they think they are going to steal that man's property over there just like they stole that Carlton House.

**Michelle Madoff:**

Mr. Stone, do you know anything more about the hotel that you had asked about?

**Mr. Stone:**

Mr. President, if I may, I am alarmed that there isn't more concern about the Bigelow Extension which I consider the

biggest and the most important thing in that whole project. As I have indicated before, to expect that 55,000 cars come across the Liberty Bridge and go straight down 6th, is going to merge with all the vehicles that come down Fifth Avenue that they are going to merge with all the traffic that comes down Center Avenue and now you have a new addition, Bigelow Boulevard must merge with all of those so that they can, in the next 50 feet completely combine so that you have a squared off intersection at Grant Street, shows the height of ignorance that we have in our Planning Department in the City of Pittsburgh, who would try to have us believe, as I said when U.S. Steel was here, you take a four inch pipe, a four inch pipe, a four inch pipe and a four inch pipe, that adds up to 16, they still want to put it through a four inch pipe. I am alarmed to see that. Now, I have been on record for a long time about that particular Bigelow Extension which I think is basically essential. What the U.S. Steel would like to do is take over that street and put a hotel there. I have indicated to them they can go under it, they can go over it, but they are not going to get the street as far as my vote is concerned, but I think the most important position in that whole project is actually Bigelow Extension, rather than any other portion of the whole project because you are going to affect, assuming two people in a car, you are going to be affecting somewhere between 125,000 to 160,000 people a day.

**Michelle Madoff:**

Mr. Stone, do you think it would be in order, and do you think that most of us, it might even include me, are bright enough, that if the Planning Department came down and showed us the study and showed us both routes, they had two choices, one was the Ross Street Extension and only this morning did I learn that there was another one that they could take. I would like to look at both of them.

**Mr. Stone:**

I listened to one of our so-called ex-

perts in the City, who indicated that — he tried to impress me with his knowledge and I don't blame him for that, he said that the peak hour is 500 cars a day coming across that thing. I said, "That's fine, let's multiply your peak hour, 500 by the 24 hours in the day and you tell me where the other 40,000 cars are that you haven't even taken into consideration yet." Well, he got all kind of white because his mathematics didn't work out the way he thought, but at any rate, if that is what we are relying on to tell us how we are going to get through here, I am alarmed. For me, I don't have any disturbance at this point, I don't know about the rest of you, I've been on notice, probably the first about those particular streets, I told the Mayor with Mr. Matter, I told the Planning Department, I told Parker, etc., the engineering firm, when we went down there, I told them about it and I told an engineering outfit over at the Hende Jon Building about it, we were doing some work on it and I said it before, as far as I am concerned, till a piece of legislation comes here, I won't have any problems because they are not going to get it without legislation. But if it helps anybody at this particular point, there is one vote they are not going to get and that is mine. So, when and if they decide to ever present it, at that time there will be one vote that I can count on, it is not going to be for it and I will do whatever I can that that particular street, Bigelow Extension, doesn't go down the drain, where we start affecting with some severe impact, as I have indicated, between 125,000 to 160,000 people.

**The Chair:**

Bob, what strikes me as being very ironic, that U.S. Steel is saying that several hundred, maybe thousands of jobs would be created with the project over there, Dravo, or what have you, yet only recently, they laid off thousands of people permanently, put a couple of hundred people out of work at the Carlton House and other establishments in that block, maybe nine or 10, and we are talking about perhaps another couple hundred jobs there, and then

they are telling you down the line, that they are going to give you maybe half of those jobs back, now that is a real big deal. What about the jobs that were lost and they won't even go half way with those people who they laid off in their steel mills throughout this area and the United States in general for that matter. It's the same old story, you know.

**Mr. Stone:**

You know, we have a looseness now in that intersection, right along the Courthouse and that area, and now what we are doing, we are letting Dravo build right up against it. I don't know why the hunger to be on Grant Street. What is wrong with the present site of the Plaza Building? That is the same area, we could tie all those buildings together. I am at a loss to understand the greed that exists in the giants today who want to suck up Grant Street at the expense of the whole City. I am alarmed that nobody has even thought about some space for the City of Pittsburgh court systems here, if we had to expand, where would we go? Nobody has even watched it, pretty soon we will be moving ourselves out of here at the rate we are going.

At any rate, I don't have a problem. I just know one thing, at least there is no way to get legislation through this City and get a street unless you pass legislation and it hasn't been introduced yet and when I get it I'll know how I am going to vote.

**Mr. O'Malley:**

I agree with Mr. Stone on that. Until U.S. Steel answers some questions, that is two votes they don't have.

**The Chair:**

Maybe we should pull a Watergate on them and wire up the Duquesne Club and the Allegheny Conference meetings, we might be privy to some of the information.

**Mr. Stone:**

Mr. President, I would like to do one

thing here though — I want it very, very clearly understood —

**The Chair:**

I could just hear their conversations now, go ahead Bob.

**Mr. Stone:**

I want it clearly understood, that as far as I am concerned, that I support a progressive movement in this City of Pittsburgh —

**The Chair:**

I think everybody does Bob, I don't think there is an argument on that.

**Mr. Stone:**

But on this one, there was an editorial in the Pittsburgh Press, I believe, which indicated that it is right, you set out your objections early so that something would be done about it. I have not heard any change other than continual experts trying to buffalo somebody in indicating that there is no problem with this thing. Well, I am not convinced and I'll not be convinced with the present people who have indicated that it is good, it is wrong. If they are going to do it, fine, but I still want it on the record that clearly I support and will always support a movement in this City that gets us jobs and that gets up improvement and obviously the revenue that comes from it. I made it very, very clear at the Press Conference when we dealt with the Oxford Development Project, we welcomed the jobs and we welcomed the uniqueness of that building, we welcome the other amenities that exist there and I am not dealing on a competitiveness, one for the other, but I think that we welcome them all, and as long as everyone understands, there is enough of room for all of us in this City, whether you are a big corporation or just someone who lives in it, one single individual, then I think we will have a much better city because it will be ours instead of theirs.

**The Chair:**

Bob, you probably know as well as I, perhaps better, that the Oxford Development Project would have gone under if DeBartoli didn't get into the picture. Mr. DeBartoli in effect, saved the Oxford Development Project and thank God he did. And also, Mr. DeBartoli is involved in Dravo over here, so you know, he is about everywhere, but in all fairness if he had taken a walk on Mr. Lewis, that project would have gone down the drain.

**Mr. Stone:**

But I think it would be greatly unfair to take any credit away from Mr. Lewis, if you don't have the attorney —

**The Chair:**

Mr. Lewis does a terrific job, but he could not have done it without DeBartoli's help.

**Michelle Madoff:**

Mr. DePasquale, I raised this issue hoping that we would come to a conclusion or a consensus, I think we are pretty much of the same mind, that we don't want to vote in a vacuum, we want more information, and I would like to request the Clerk to have the Planning Department present at a post agenda, or at a time scheduled by yourself, Sir, a presentation of the report of the alternatives — not just the Ross Street Extension, but the alternatives, so that we can look at it as we did when the Port Authority, or PennDOT, excuse me — was it Port Authority or PennDOT — showed us the plans.

**The Chair:**

The Port Authority.

**Mr. Stone:**

Michelle, I think we have asked enough about this, I think that it is time now that the burden be left where it is. Everybody

is on notice to the Planning Department that they should be doing something about it and in its present form we are not. If we have to keep bending over backwards each time I think it becomes ridiculous. Somewhere when you register an objection, it ought to be addressed. Now, it has been very clear, for me at least, there has been four occasions where it has been through. We have covered it in this Council body at least three additional occasions. We covered it at that table on at least two occasions. How much more?

**Michelle Madoff:**

I want to see the two plans, I want to see if there was a private independent study done, I want to see it. I have asked for it since January, this is June, it is six months.

**Mr. Stone:**

You can request it, if you don't get it, you don't get it.

**Michelle Madoff:**

Well, could we make a formal request that we be briefed on it? I don't want to take a lot of time, there is nobody here to address it, but I do think that you should know that the Downtown Committee is meeting again to decide whether there should be an orderly phase-out to go to gas fired boilers in the downtown building or to save the 12th Street Allegheny Steam Heat Plant, we are going to have to immediately find a consultant to look at what the City should be looking into and what we should be doing. Mr. Whitmer of the Mayor's Office has been meeting, he told us, for the last eight months with people, but he was meeting only with those people who were between a hard place and a rock.

When they were going to defect, and those who are left on the line would be picking up the deficits and higher rates, those are the people he spoke to and I will be walking that plant with a number of engineers to see if we can get somebody interested in picking up that plant, because in the interest of national policy and energy that is the way we ought to be going, to a central heating plant. I just want to brief you.

**Mr. Stone:**

Mr. President, I have one other comment if I may. I have called a post agenda item for this coming Wednesday on the Night Court, to consider what I might now just title, "The Comedy of Errors, the Absurdities and Abuses", I'll not go into detail now, but other than to give you a little preview, that we will be having a continual situation, but I make a prediction that before too long, Night Court will change.

**The Chair:**

I wish you would call me next time you go down there, I'd enjoy that.

**Mr. Stone** moved to excuse Mr. Givens and Mrs. Masloff for absence from this meeting.

**Michelle Madoff** seconded the motion..

Which motion prevailed.

**Michelle Madoff** moved to approve the minutes of Tuesday, May 27, 1980.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, June 16, 1980

No. 24

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.  
Monday, June 16, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale (Pres't)

#### ABSENT:

Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1058 Resolution providing for

easement for encroachments on Third and Fourth Avenues.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1059 An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definition, and Chapter 503, Enforcement and Control.

Which was read and referred to the Committee on Public Works.

Mr. Givens presented

No. 1060 Resolution of the City Council of the City of Pittsburgh authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of articles, authorizing the execution of articles and the filing with the Secretary of the Commonwealth and appointing members.

Also,

No. 1061 Resolution of the City of Pittsburgh authorizing the City to incur Lease Rental Debt by entering into an Equipment Lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series of 1980, and Series of 1980-A, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs and approving the form of lease.

Which were read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1062 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (tables, chairs, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 1063 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office equipment (desks, storage cabinets, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 1064 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of ping pong tables

and pool tables for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 1065 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various fire equipment (fog tips, nozzles, etc.) for the Department of Fire, and for the payment thereof.

Which were severally read and referred to the Committee on Supplies.

Mr. O'Malley presented

No. 1066 Resolution transferring the sum of \$10,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies and Materials, within the Department of Fire.

Which was read and referred to the Committee on Finance.

Mr. Stone for Mr. Robinson presented

No. 1067 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Giant Eagle Urban Development Action Grant; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1068 Resolution amending Reso-



lution 463 approved May 29, 1980, entitled, "A Resolution providing for a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof." By increasing the amount of the agreement.

Also,

No. 1069 Resolution amending and supplementing Ordinance No. 393, of 1967 entitled, "An Ordinance authorizing and directing the Mayor and the Director of the Department of Lands and Buildings to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, providing for the establishment of a Residential Land Reserve Fund, and obligating the City of Pittsburgh to Pay to the Authority or its assignee a total sum of \$6,000,000, in five (5) Equal Installments of \$1,200,000 in each of five (5) consecutive years, commencing with the year 1973." By revisions in the terms and conditions in said ordinance, by including changes broadening the program, and by authorizing the transfer of funds to the Residential Land Reserve Fund from other programs by including existing programs and their funds.

Also,

No. 1070 Resolution amending Section II of Resolution No. 1228, effective December 31, 1979, as amended by Resolution No. 504 of 1980, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program", so as to amend the title of line item HD-80-18 to read "Winterization in Pittsburgh, Salaries"; and further, to amend the title of line item HD-80-14 to read "Demolition of Condemned Buildings including Site Restoration and Boarding Up".

Also,

No. 1071 Resolution approving a form

of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Leona L. Twyman for the sale of Parcel B-46a in the 11th Ward of the City of Pittsburgh in Redevelopment Area No. 10.

Also,

No. 1072 Resolution approving a form of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jimmy Stallworth for the sale of Parcel 120 in the 13th Ward of the City of Pittsburgh in Redevelopment Area No. 19.

Also,

No. 1073 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alice Baker for the sale of Parcel 62 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also,

No. 1074 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John J. Sparrow and Josephine M. Sparrow for the sale of Parcel 227a in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1075 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William E. Brewton and Marlena L. Brewton for the sale of Parcel 215 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1076 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard G. Moye for

the sale of Parcel 91 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 1077 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Freddie L. Ralston for the sale of Parcel 49 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also,

No. 1078 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Sanford C. Aderson for the sale of Block 22R Lot 215 in the 21st Ward of the City of Pittsburgh.

Also,

No. 1079 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Colman Mulkerrins for the sale of Parcel 36 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1080 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James N. Williams and Doris C. Williams for the sale of Parcels 173A, 173B, and 174A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1081 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert L. Culligan for the sale of Parcel 244G in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1082 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William M. Foley and Hilda E. Foley for the sale of Parcel 30B in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1083 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William Massucci and David M. Massucci for the sale of Parcel 231 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1084 Resolution approving a form of contract for disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William H. Bailey for the sale of Parcel 238A in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1085 Resolution transferring \$2,500.00 from Code Account No. 42-2, Contingent Fund to Code Account No. 1072-1, Premium Pay, Water Assessors Division, Department of City Treasurer.

Also,

No. 1086 Resolution transferring the aggregate sum of \$6,000.00 within Code Accounts of the Department of Law.

Also,

No. 1087 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permis-

sion for Michael Herman to attend State-wide Private Industry Councils Conference, Harrisburg, Pa, June 9-11, 1980, at cost not to exceed \$274.00, payable from CTEA Trust Fund, federal funds.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1088 Report of the Committee on Finance for June 11, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 871

A Resolution entitled, "Resolution providing for an agreement or agreements with Walter H. Drane Company for professional services in connection with the indexing, preparation of formats, printing and other related work, of the Pittsburgh Code and one (1) supplement thereto, as part of the implementation of Section 325 of the Pittsburgh Home Rule Charter; and providing for the payment of the cost thereof, and transferring the sum of \$30,000 from Code Account No. 1001-1, Miscellaneous Services, Supplies, Equipment, etc.; City Council to Code Account No. 1005-3, Printing Pittsburgh Code." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 963

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Educational Communications Institute for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 979

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 659, Unlawful Practices, by amending 659.03(J), in relation to the powers of the Pittsburgh Human Relations Commission to eliminate discrimination because of race, religion, and sex in private clubs where a significant portion of the membership conducts or engages in business."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, on Bill No. 979, we have had numerous communications with reference to the bill introduced by Mr. Flaherty, which I support wholeheartedly and I believe he feels that, under the Home Rule Charter, is perfectly legal. There seems to be a consensus of opinion amongst a

number of people in the Human Relations Commission that there is some question of legality. I suggest that we vote in any event and if there is any question of legality, at some point, Mr. Flaherty, do you want to address it from the Home Rule Charter point of view?

**Mr. Flaherty:**

Yes, I just want to give some brief background of what happened at the meeting that I attended last week in front of the Human Relations Commission. Certain members of the Commission seem to have reservations in regard to the technicality of the bill. It was unanimous, they all agreed as far as the concept of the bill and the vote was five to three with one abstention, only asking me if I would be willing to talk with their counsel in regard to certain aspects of the bill. They agreed that it was my bill and I could do as I saw fit, after speaking with their attorney. I did and he gave me a two page opinion that does not refer to any statutes nor case law. I also had two attorneys work on the bill, they helped to draw it up. I also spoke with Jim Cunningham, who is Executive Director of the City Home Rule Study Commission and he believes that this bill would have no problem under the jurisdiction of the Home Rule Charter. Therefore, I would urge the members of Council to approve this bill.

**The Chair:**

You puzzle me, if I may, you said you had a unanimous vote and then you said it was five to three and one abstention. How do you make that unanimous.

**Michelle Madoff:**

I don't think he meant Council.

**Mr. Flaherty:**

No, I'm sorry, Mr. President, I'll clarify that. It was unanimous that all the members of the Commission agreed with the intent and the concept of the bill. They

asked me if I would be willing to talk with their counsel in regard to certain technical aspects of the bill.

Actually, the only problem that they saw in the bill is that perhaps since there is not a current statute under the State Human Relations Commission Act, they felt that perhaps this bill could be unconstitutional because it would supercede the State Act, but nevertheless, we had not, surprisingly enough, discussed the aspect of this City being under the Home Rule Charter and this came up subsequent to the meeting and after I received the opinion from their counsel, I brought up the question of the Home Rule Charter and he seemed to agree that perhaps it would have validity under the Home Rule Charter. There has been a lot of talk that the Charter has not actually been tested yet in the courts. I certainly agree with all the members of the Human Relations Commission that this is noble, I believe all the members of Council certainly are opposed to discrimination and I have very strong feelings in regard to this, that we really don't have anything to lose, if it is left up to the courts. Perhaps that is where this bill does belong, it is a land breaking bill, they even spoke about it on the Today Show approximately two weeks ago, so I feel it would be a credit to this City if we would be the premier body that would enact this kind of legislation.

**Michelle Madoff:**

May I ask a question, Mr. Flaherty, does this bill in any way discriminate racially, or against women or minorities in any sort, on any of the other smaller clubs.

**Mr. Flaherty:**

No ---

**Michelle Madoff:**

I mean they could still discriminate if they choose, is that correct? It doesn't rectify that problem does it?

**Mr. Flaherty:**

No, it does not, the reason why it does not — the key to the bill is, corporations paying memberships for executives into private clubs — I am maintaining then, a club is not distinctly private seeing that the corporations are open to whoever wishes to purchase their stocks and I feel that especially in the era of Renaissance II when the corporations are consistently approaching this Council for tax abatements, etcetra, that perhaps they should get into the spiritual aspects of Renaissance II and non-acquiesce to discrimination against women and blacks.

**Michelle Madoff:**

Well there are two issues here. This bill addresses itself then only to those corporation funded memberships and not to the discrimination which we really need to see addressed. Is that correct?

**Mr. Flaherty:**

It would be unconstitutional to try to submit a bill — I don't think it would have a prayer in the courts, Ms. Madoff, if what you want to do is to open up fraternal, ethnic, and religious clubs, I don't believe that the bill would have any chance of being ruled upon favorably in the courts. The only key to the bill is that of corporate memberships. Now, if the Duquesne Club, for example, would refuse to accept corporate memberships, then I believe that they could skirt this bill.

**Mr. Stone:**

May I ask a question? When did you meet with the Human Relations Commission?

**Mr. Flaherty:**

On Wednesday.

**Mr. Stone:**

After our meeting?

**Mr. Flaherty:**

After our meeting, about an hour after the meeting.

**Michelle Madoff:**

Excuse me, I'm not through. Mr. Flaherty, you are not naive enough not to believe that if U.S. Steel and the other big giants wanted to subsidize memberships in these private entities, like the Duquesne Club, and if it became illegal to do through dues being paid of the corporation, that the money wouldn't be taken care of as they do in the political entities where the people give contributions and somehow or other their expense account is taken care of in another way. I mean, you are not naive enough to think that this wouldn't happen.

**Mr. Flaherty:**

No, I am not that naive, but at least it would cause them to go out of their way some, and more importantly than any thing, if this bill is enacted, as I hope it will be, it will bring public attention to a serious problem, not just in this City, but in the country, and I would like to see the Duquesne Club go publicly and contest a Human Relations Commission ruling and actually go to court in an appeal to try to keep a black or a woman out of their club.

**Michelle Madoff:**

And you are right, because, how many people who are not being funded by corporations are going to have \$4,000 for a membership.

**Mr. Flaherty:**

Yes, that's true, but I don't see what bearing that has on this bill.

**Michelle Madoff:**

Well it has a lot of bearing, I think what you are dealing with is, I think you are focusing the target on the right entity.

**The Chair:**

I wonder if either of you are aware of the fact that for the most part in the Duquesne Club, the only membership are Corporate Presidents and Chairmen of Boards — not every member of a firm can join the Duquesne Club, okay? Not every millionaire can join the Duquesne Club unless they have some affiliation with a corporation —

**Michelle Madoff:**

I couldn't even join if I had \$4,000.

**The Chair:**

... so obviously, how many blacks, and how many women do we have that are Corporation Presidents? If it were put on that basis.

**Mr. Flaherty:**

I agree with that Mr. President, and I had entertained the idea of having a public hearing so perhaps clubs such as the Duquesne Club, if they would be willing to come in and explain their process as far as —

**The Chair:**

Well, the last time I talked to you that was going to be the procedure and the next thing I know we were voting on it, apparently the hearing was forgotten, that would have given us a chance to air the whole thing out.

**Mr. Flaherty:**

Well, what had happened there Mr. President, is, I felt that I had the vote and I tried a few times to see you, but you came into the meeting after we had acted upon the bill, but to get back to your previous question, the Duquesne Club as they say, will only grant memberships to strict executive types, but I have very heavy suspicions and the Duquesne Club is over 3,000 strong with the corporate elite of this tri-state area and nevertheless there is not

one black and that raises very strong suspicions in my mind.

**Michelle Madoff:**

How many Jews?

**Mr. Givens:**

Well Mr. President, has it ever been noted that any of these clubs exclusive within the City of Pittsburgh are denying anybody admission to a particular club? Clubs are private in nature, this is a private club and Tom, I think you alluded to that, but is it a fact? Have they denied — does anybody know of anyone being denied membership to the Duquesne Club or any other club in the City of Pittsburgh?

**Mr. Flaherty:**

Well, Councilman Givens, that is what this bill is all about. Prior to this bill, if it is enacted, a person that felt that either he or she is discriminated against, they had no recourse for remedy and this Bill empowers the City Human Relations Commission to hear the merits of an applicant who feels that they have been unjustly discriminated against.

**Michelle Madoff:**

Take up a collection, I'll be the test case.

**Mr. Flaherty:**

Okay.

**Mr. Givens:**

Tom, I have one problem, and the fact that you do not know that much about law, but enough, to know that you are zeroing in on a particular group of people, those that are of the executive group, as you say, conducting or engaging in businesses within a particular club. I am afraid it also can set precedence that the clubs, private clubs, are designed for the people that have things in common. And although this bill

is narrow in scope, I'm afraid that if it would be contested it would be thrown out by the courts, because, to put anything in, it must be applied throughout all of the private clubs, I would think. Do you have a legal opinion to say differently from that?

**Mr. Flaherty:**

I beg to differ on that —

**Mr. Givens:**

Excuse me, do you have a legal opinion that says differently?

**Mr. Flaherty:**

Well do you have one to back up your statement?

**Mr. Givens:**

No, it's not my bill.

**Mr. Flaherty:**

Well, we are on even ground.

**Mr. Givens:**

It's not my bill.

**Michelle Madoff:**

I think Mr. Flaherty says it can be tested in the courts, if we are overruled, or the Human Relations Commission finds that this bill is not legal, I'm sure they will come back and say so, the Mayor will have much to say and maybe it belongs tested in the courts, let's vote on it.

**Mr. Flaherty:**

Mr. President, I wish to respond to what Councilman Givens has said. Granted, private clubs are where individuals can conduct their mutual affairs, and the Elks Club and the Moose and the ISDA and the Polish Falcons and the AOH, these are social clubs, people go to them to have a drink, to chat, to watch a floor show. What

you are talking about in exclusive clubs, are marketplaces, where heavy financial dealings are being cut which affect the entire population of this area and this City and they are discriminating blatantly against the majority segment of this population and —

**Mr. Givens:**

Well if you feel that is true then I would have to vote against your bill for the mere reason that you making an insinuation — I don't see anything in your bill to say that these people are in fact, doing that.

**Michelle Madoff:**

But it won't hurt to pass it.

**Mr. Givens:**

No, no, no, that is very disturbing to me that we are saying that the people who are builders of our country, are getting together and scrutinizing and trying to do something to the little person. I don't think that is true because everyone benefits from a business and if I can say anything of Mr. Kennedy, the grandfather, was one that the rich are endowed to create industries and jobs so people can work. That is something that I have found in the rich people that I have met in my lifetime, that they are very, very interested in the person, in trying to give someone a livelihood through their business. They are very dedicated.

**Michelle Madoff:**

That's like the Love Canal that poisoned the people and its like the wastes on the island of shore industries — only interested in helping us, not interested in making a buck.

**Mr. Flaherty:**

I go back to the question, there are 3,000 members of the Duquesne Club and it raises high suspicions in my mind that there is not one minority member and I would urge approval of this bill and some day we may

have someone crack in those ranks, such as Jackie Robinson did for baseball, well, it is a game along the same lines, we are talking about the financial game and I urge approval of this bill.

**Michelle Madoff:**

Let's vote on the bill, call the vote.

**The Chair:**

You know, the fact that discrimination and bigotry exists in clubs, it exists in all clubs, I don't care if it is social or what have you. The clubs themselves then discriminate amongst themselves. I don't know if you remember the Italian Sons and Daughters of America, if your people didn't come from Calabria you may as well not be a member. The Concordia Club, the parentage has to be from Germany or you can't join. Recently, I understood they took a couple of people in whose people were from Romania or from Russia.

**Michelle Madoff:**

Where was that Mr. President?

**The Chair:**

The Concordia Club.

**Michelle Madoff:**

They are asking non-members of the tribe to join now.

**The Chair:**

They have just changed it, okay? up until a short while ago your parentage had to be from Germany, so as I say, what are we getting at? There is discrimination in every club, either you outlaw all of them or you don't outlaw any of them, that is the way I feel about it, okay?

**Michelle Madoff:**

But I don't think any of us endorse discrimination, let's vote on the bill.

**Mr. Givens:**

I just want to say Mr. President, again, I just have one comment again to make and I feel that the particular bill, if it were all clubs, and all organizations, I would say it would be in proper accord to vote on it, but I can't sit here as a Councilman and know something, that once it goes into the court of the land, will probably be shot down because it says in our own Constitution and Supreme Court decisions say that you cannot discriminate, right today, it says you cannot do that. I have not had anyone personally come to me, nor have I seen anyone or talked to anybody who said that they were denied membership in any particular club in the City of Pittsburgh if they tried it. I would hope that I would be the first one to try to get them that membership if they so desired it.

**The Chair:**

Dick, they have a club in Texas, the actual requirement to join this club, you must be six foot tall or better, you must have red hair and blue eyes. Those are their requirements, so obviously you and I wouldn't qualify, right? If these are the standards they want to set up, you know, automatically they discriminate against everybody who doesn't have red hair, blue eyes and isn't six foot tall.

**Michelle Madoff:**

"Jeep" nobody would keep you out of a club.

**The Chair:**

I'm starting a club for people 5'8", black hair and brown eyes.

**Michelle Madoff:**

I think you are charming, you'd be a welcome member of any club.

**The Chair:**

And no redheads are going to get in there.



**Mr. Givens:**

I am voting no for the reasons so stated and I want to so emphasize this fact and I want to do it damn strongly so everyone gets it, that I don't feel there is discrimination here, if I felt there was discrimination here I feel that the Duquesne Club, which is one that was mentioned and has already de-regulated their club and other clubs, that the law of the land also gives individual clubs the prerogative to have a closed membership and I think this is what it is, the Duquesne Club is opening their membership up and I feel they are in tune with the times at this time and I would hate that some of the remarks that were made here today, are remarks that will go down on our particular municipal record, indicating that the group of people that attend this particular Duquesne Club are manipulating or doing things that are otherwise in this Country. I just can't believe that, I can't go along with that, and that one statement alone will cause me to vote no.

**The Chair:**

Is there any further discussion on the bill.

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	

Ayes 5      Noes 3

(MR. GIVENS, MR. O'MALLEY,  
MR. DePASQUALE)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 989

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nebraska Packing, Inc., in the amount of \$3,876.60 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law."

Which was read.

Also,

Bill No. 993

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, N.J. 07960, in the amount of \$6,000.00 in payment for installation of a 12" Valve at the Forbes Avenue Bridge and providing for the payment thereof."

Which was read.

Also,

Bill No. 994

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 25 Airport Road, Morristown, N.J. 07960, in the amount of \$25,200.00 in payment for installation of a 36" Valve at Butler Street and 62nd Street and providing for the payment thereof."

Which was read.

Also,

Bill No. 998

A Resolution entitled, "Resolution providing for the issuance of a warrant to Anna V. Bischoff in the amount of \$2,000.00 for the City of Pittsburgh's share of the settle-

ment of claim for property damage, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1002

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Neighborhood Centers Association for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Flaherty
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Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 1089 Report of the Committee on Public Works for June 11, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 977

A Resolution entitled, "Resolution widening Forward Avenue from Murray Avenue to a point 100.65 feet southeasterly therefrom, in the Fourteenth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Stone for Mr. Robinson presented**

No. 1090 Report of the Committee on Planning, Housing and Development for June 11, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 813**

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th and 11th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-H-285, 287, 289, 227, 228, 229, 118, 176, 177, 178, 50-L-40, 41, 160, 161, 85, 88, 90, 116, 50-B-292, 294, 245, 247, 248, 296, 298, 50-A-1, 6, 8 and 9."

Which was read.

Also,

**Bill No. 949**

A Resolution entitled, "Resolution amending Resolution No. 992 of 1977, entitled 'Authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Project R-84, East Liberty and concurrence by HUD in said Agreement providing for the maintenance and sale by Urban of remaining property in said project, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment to the CDBG of reserved funds in excess of obligations and the application of surplus grant funds from Project R-84 to projects UR7-1, R199, A-15 or R-366.' by providing for the transfer of reserved funds in the amount necessary from Project R-84 to Project A-15 and the bal-

ance of reserved funds in excess of obligations to CDBG."

Which was read.

Also,

**Bill No. 950**

A Resolution entitled, "Resolution amending Resolution No. 176 of 1977 entitled, 'Authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Projects R-285, Woods Run, and R-41, Allegheny Center, and concurrence by HUD in said Agreement, providing for the maintenance and sale by Urban of remaining property in said projects, for the payment by the City of any obligations in excess of reserved funds in said projects and for the payment to the CDBG of reserved funds in excess of obligations and the application of surplus grant funds from Project R-285 to Projects UR7-1, R-199, A-15 or R-366.' by providing for the transfer of reserved funds in the amount necessary to Project A-15 and the balance of reserved funds in excess of obligations to CDBG."

Which was read.

Also,

**Bill No. 951**

A Resolution entitled, "Resolution amending Resolution No. 1040 of 1978 entitled 'Authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of financial settlement of Project R-199, Homewood North, and concurrence by HUD in said Agreement, providing for the maintenance and sale by Urban of remaining property in said project, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment to the CDBG of reserved funds in excess of obligations

and the application of surplus grant funds from Project R-199 to Project A-15,' by providing for the transfer of reserved funds in the amount necessary to Project A-15 and the balance of reserved funds in excess of obligations to CDBG."

Which was read.

Also,

Bill No. 952

A Resolution entitled, "Resolution authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of Financial Settlement of Neighborhood Development Program No. A-15, and concurrence by HUD in said Agreement, providing for the completion of all program activities for the maintenance and sale by Urban of remaining property in said program, for the payment by the City of any obligations in excess of reserved funds in said project and for the payment to the CDBG of reserved funds in excess of obligations and the application of surplus grant funds after satisfying all program obligations to the CDBG."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 1091 Report of the Committee on Supplies for June 11, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 990

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of used ambulances for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

No. 1092 Report of the Committee on Water for June 11, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 995

A Resolution entitled, "Resolution further amending Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 785, approved August 17, 1979, entitled 'Approving 1976 Capital Improvement Project; allocating and setting aside amounts in connection therewith; creating trust funds; transferring Bond Funds to said trust funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of the cost thereof, by decreasing the appropriation for WD-76-2 and establishing new line items WD-76-7 Installation 12" Valve Forbes Avenue Bridge (4-05-25-0001-76) & WD-76-8 Installation 36" Valve Butler Street & 62nd Street (4-05-25-0301-76)."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

I want to call again, to Council's attention, I believe, Mr. Perry, that we have a post agenda on Wednesday — we have been told by the Administration and by the Director, they were hiring new engineers, I understand that is locked and in limbo with Mr. Ben Hayllar who received the information from Mr. Matter.

There is no point in our passing these bills when I talk to several of the contractors who tell me that they are getting on into June and they haven't had any contracts awarded yet, they haven't even bid on them and I'm very distressed on the inflation business — here we are passing all of this — what good is it if they don't get it out this year.

I'll let it ride, but I did want to make sure that that comes up on Wednesday.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 1093 Report of the Committee on Public Safety for June 11, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 618

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by adding Section 601.15, Signs on Gasoline Stations for All Districts."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

This Council remembers very well, perhaps not the new members of Council, that last year the same people who are sitting in the audience, came before us at a hearing to object to having service stations where you pumped your own gas saying that people could go out of the City and do that. We supported them because we felt it was a fire hazard, it was endangering public welfare, many people felt we were very wrong, that they could have saved money, but this Council went on record as supporting the independent gas dealers. We can't always side with everybody's point of view. I for one feel very strongly in the public's right to know, I think it is a disgrace that the Zoning Board did not tell Mr. O'Malley in advance, unless the sign was of a certain size, people would have to get a zoning exception. Now the sign has been brought down to a reasonable, relatively inexpensive size, and I don't think we can use the argument that we should post everything, because we'll have to post what each member of Council gets on our forehead, we'll have it tattooed.

I think when it comes to people being able to get to work and have gasoline and having the right to get the best price when it means milk on the table, we have a moral responsibility to vote for a bill for the public's right to know.

**Mr. Givens:**

Mr. President, I'm sure many of us have a concern on this particular bill and I have always tried to keep industry in mind and not try to regulate them. I feel any industry that is self-regulated is one that does a hell of a lot better job than what government can do for it at times.

I feel very strongly that I would like to see the service station dealers, the independent service station dealers do this voluntarily rather than this Council to have to impose it upon them. I would suggest after this vote is over, if the bill does pass, that it come up one year from today and we

find if the independent dealers would like to do this on a voluntary basis and if their price is better than the guy's across the street then god-dammit they should advertise.

**Michelle Madoff:**

I would oppose that, either it is law or it is not law.

**Mr. Flaherty:**

Mr. President, I concur with what Councilman Givens has said for the most part and I commend Councilman O'Malley, I feel that his intent is very keen in keeping the consumer in mind and certainly aware.

However, I have a stronger priority, I feel that the gas station owners would be the only group that is being singled out and being told by the mandate of the law that they must post their sign.

I know that there is an argument that parking lots have to post their rates, however, I feel that there may be a distinction since parking lots are under the jurisdiction of the City and parking lot owners have to pay an annual renewal fee each year to the City Treasurer and I feel that is the distinction. I am not aware of gasoline station owners having to be sanctioned in such a strict way by the City.

**Mr. O'Malley:**

Mr. President, let me clarify this for Councilman Flaherty. First, all of the parking lots in the City of Pittsburgh are not owned by the Authority, there are many private parking lots owned by individuals, so that argument doesn't hold water. Secondly, the gasoline stations are already mandated by federal law to post the prices on the pumps.

Now, all I am asking them to do is post the prices large enough so the public can see them.

**Mr. Flaherty:**

I wish to respond to that Mr. President, in regard to the first point that Councilman O'Malley made — all lots, private or public, must have renewal annually by the City of Pittsburgh. They all come under the Pittsburgh Parking Authority and its regulations.

**The Chair:**

In all fairness Mr. Flaherty, all lots are supposed to be paved, and that goes back to 1960 and just about three quarters of them never bothered complying with the law and apparently nobody is enforcing it. I know most of them throughout Oakland, if they are either slag or sand or what have you and from '60 on, it had to do with the World Series, that some of them raised their prices ridiculously and they figured they had to have some level on it and also signs posted and they were to pave them, but most of them didn't comply — I don't even know about posting the signs, I don't pay that much attention to them. But at the same time I know they didn't comply on the paving.

**Mr. Givens:**

Mr. President, I have one point, to comment on Mr. Flaherty if I might — traditionally, and tradition does play a great part in business and other walks of life, historically, the service stations, all the service stations have displayed signs, all my lifetime, up until within the last year or two and it was only within the last year or two that the difference in price is so great, up to 25¢ that I have seen, just going from one service station to another. The lines of the service stations are such that you have to wait in line before you can get your gas. I mean like 10 or 15 cars in many cases and as times get tougher and the prices go up higher, the service stations are open a lesser period of time and as a result those lines could get greater. It is very frustrating to drive into one of these stations and find out that you have been, not taken, but the price is damn high compared to possibly

one that you might have seen when you had a half or three quarters of a tank of gas.

I would like to really see them do it on a voluntary basis. They have been doing it for that reason competitively and voluntarily since gas has been put on the market. In fact, you can look at all your old movies and look at the gas prices and find out what year the movie was made in, as one entity. And, I think that they are helping the public and will help the public out in tradition and historically they have doing it and I would like to see them continue to do it.

**The Chair:**

Yes, you are right Dick, in that one movie, "John Dillinger" shot holes right through the gas sign, remember?

**Michelle Madoff:**

Didn't you say you had trouble keeping Council in order? You are setting a bad example.

**The Chair:**

I'm just talking about the signs being dated.

**Mr. Givens:**

In the next picture there won't be any more gasoline.

**Michelle Madoff:**

I think the bill is preferable to legal action and I have heard rumors around Grant Street that some attorneys are thinking of taking legal action against the company, not the gas station, to see that the pumps reflect not half the price, but the entire price. I think it is preferable to being forced on Council to have hundreds of people come into this room and say, "Hey, we can pump our own gas and do it cheaper". I think we have made a good bargain with the independent dealers, we have let you go ahead, we support you, we

don't want to infringe on your right to earn a livelihood by not sending people in to pump their own gas, save whatever money they can and I think that it is a good compromise and its good sports, they should go along with it.

**Mr. Stone:**

Mr. President, if I may. I think it would be wrong not to weigh the merits here on a little more cool reflected basis. I think we certainly have to understand why the service station dealers are concerned. They are being sandwiched at this present time between the oil industry and the public. Regrettably, the public wants it cheaper, regrettably, the oil industry wants it more expensive and they are in between. The fact that they should have concern, I think, is a valid complaint. I on the other hand think that in the long run, the bill that is proposed here will help them as well, because I think that somewhere along the line, their plight needs to be brought out. It needs to be understood that they are sitting in that position. Those service dealers know that any independent individual who has done everything that is necessary to make a station go, only ends out with the company taking over that station and everything that they built goes to pot. That is regrettable, but that is the nature of that industry, regrettably, but I think we should not pass too quickly, in understanding their particular plight. They came here, as Michelle Madoff indicated earlier, relative to self-service gas stations and I don't think there was anyone more vociferous in defense and support of them than I was in that particular instance. I think, and I am telegraphing it in advance so everyone understands it clearly, my vote will be for this particular bill and in being for it, I think that in the long run it will be an assist to the independent service station operators, because when it is understood what that price is, and when we begin to understand more of their position, maybe it is time for a little pressure to be put the other way.

For me, I am at a loss to understand how, by virtue of an interpretation, that a

particular gas company can take oil coming from Canada and put it on an OPEC level so that the change is twelve cents. Now, there has got to be something ridiculously wrong with that kind of an approach and I think that this kind of bill will eventually draw it to everybody's attention. If there is some difference we will find it. If someone has some competitive way to do it we will find it, but I think on the whole, we need now, a little more honesty in the whole approach of what they are going to pay and what they are not going to pay. But I think that if we can in some way help to bring out to the public, the particular position in which they are, we ought to be doing something for it and as I have indicated I'll be for this bill, but I understand their position, I am willing to help them in the other end of it, that they are being sandwiched and sandbagged, particularly in this point.

**Mrs. Masloff:**

Mr. President, I don't think we are helping them in their plight by adding to their burdens. If the fault lies with the oil industry, then we have got to start with the oil industry and I don't think we are helping them one bit by adding to their plight and by adding burdens to them. I, of course, am not for the bill.

**Michelle Madoff:**

We certainly wouldn't be helping them if the people who called us and were very vociferous about the fact that we voted against letting people pump their own gas and saving money, descended on us again, I think this is a good compromise.

**Mrs. Masloff:**

It's a matter of opinion.

**Mr. Givens:**

I would like to make one more comment, the fact that this Council about two years ago, voted for these service station dealers not to have the self-service put in



the City of Pittsburgh and that was for the safety of the public, and again, we are trying to serve that same public.

**The Chair:**

When the bill was first introduced my feelings were that it was discriminatory and strangely enough I still feel the same way. However, Mr. O'Malley has done a lot of work in this field and he has compromised quite a bit and there is quite a bit of sentiment on the other side, we've received many, many letters, many, many phone calls from irate citizens and those plain, "Jane Doe" and "John Doe", in favor of the bill. For some reason or other they feel they are not getting a fair shake by not having these prices listed. On that basis I will vote "aye" on the bill, but I want my sentiments put on the record.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 5    Noes 3

(MR. COYNE, MR. FLAHERTY AND MRS. MASLOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 1094 Report of the Committee on Lands and Buildings for June 11, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 983**

Resolution repealing Resolution No. 269 approved 8/17/73, authorizing the sale of lot on Murtland Avenue in the 12th Ward, designated as Block 125-S, Lot 18, to Vincent Mitchell, now deceased. Amendment is to cancel sale and return hand money to Estate of deceased purchaser.

Which was read.

Also,

**Bill No. 984**

Resolution repealing Resolution No. 1210, approved 10/18/78, which authorized the sale of a 2 story stone house No. 253 Dinwiddie Street in the 3rd Ward, designated as Block 11-A, Lot 196. Amendment is to cancel sale and return hand money to purchaser.

Which was read.

Also,

**Bill No. 985**

Resolution repealing Resolution No. 260, approved 4/8/77, authorizing the sale of lot in the 5th Ward on Webster Avenue designated as Block 26-K, Lot 226, to Louis & Eunice Parker. Amendment is to cancel sale and return hand money to purchaser.

Which was read.

Also,

**Bill No. 986**

Resolution amending Item (C) of Resolution No. 429, approved 5/22/80, authorizing the sale of property in the 15th Ward, being a lot designated as Block 55-L, Lot 61. This amendment is to correct date of acquisition from 6/5/72 to 6/5/50.

Which was read.

Also,

Bill No. 987

Resolution amending Item (H) of Resolution No. 429, approved 5/22/80, authorizing the sale of lot on Buena Vista Street, 25th Ward,, designated as Block 23-A, Lot 169. This amendment is to correct the lot size from 25 x 64 to 25 x 65.

Which was read.

Also,

Bill No. 988

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

**Mr. Stone** moved to excused **Mr. Robinson** for absence from this meeting.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the Minutes of Monday, June 2, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**,

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, June 23, 1980

No. 25

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAE . . . . . Ass't City Clerk

Pittsburgh, Pa.  
Monday, June 23, 1980

#### PRESENT:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

#### ABSENT:

Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1095 Resolution providing for a

contract or contracts of the use of existing contracts for Sewer and Catch Basin Repair (PW 80-25) 4-01-25-0752-80 and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Works.

Also,

No. 1096 Resolution providing for an agreement or agreements with the Bloomfield Garfield Corporation for a marketing survey and other preliminary surveys necessary for the preparation of a comprehensive plan of renewal of the Garfield district, and transferring the sum of \$10,000.00 from the 1980 Community Development Unspecified Local Options, CC-80-01, to the Local Development Corporation of the Bloomfield-Garfield Corporation.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Flaherty presented

No. 1097 An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 651, Findings and Policy, Section 651.02, DECLARATION OF POLICY; Chapter 653, Human Relations Commission, Section 653.05, POWERS AND DUTIES; Chapter 659, Unlawful Practices, Section 659.02, UNLAWFUL EMPLOYMENT PRACTICES, Section 659.03, UNLAWFUL HOUSING PRACTICES and Section 659.04 UNLAWFUL PUBLIC ACCOMMODATIONS PRACTICES, by prohibiting discrimination on the basis of age, handicap, disability, or the use of guide dogs.

Also,

No. 1098 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Mary J. McCrory, Attorney at Law, in the amount of \$200.00 in payment for services rendered to the Council of the City of Pittsburgh, without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Service and Salaries of Council.

Also,

No. 1099 Resolution transferring \$200,000.00 from Code Account 42-2, Contingent Fund, to the Department of Lands and Buildings, Code Account 1362-1, Coal, Gas and Steam.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1100 Resolution repealing Resolution No. 263 (Item E), approved 4-11-80, for the sale of property in the 26th Ward, being a 2 sty. fra. hse. on Magnet Street, designated as Block 46-C, Lot 215 to Michael Becas, for the sum of \$1,000.00. Hand money of \$100.00 to be returned to purchaser.

Also,

No. 1101 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Which were read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 1102 Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$5,429.58 for the emergency purchase of tires furnished to the City without previous authority of law.

Also,

No. 1103 Resolution providing for the issuance of a warrant in favor of Firestone Stores in the amount of \$15,060.13 for the emergency purchase of automotive parts furnished to the City without previous authority of law.

Also,

No. 1104 Resolution providing for the issuance of a warrant in favor of Ateco Equipment Company in the amount of \$2,172.99 for emergency repair work furnished to the City tow truck without previous authority of law.

Also,

No. 1105 Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$8,237.60 for the emergency purchase of unleaded gasoline without previous authority of law.

Also,

No. 1106 Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$5,780.00 for the emergency purchase of #2 Heating Oil without previous authority of law.

Also,

No. 1107 Resolution providing for the issuance of a warrant in favor of Carus Chemical Company in the amount of \$38,828.40 for emergency purchases of potassium permanganate without previous authority of law.

Also,

No. 1108 Resolution providing for the issuance of a warrant in favor of Puritan Paint & Oil Company in the amount of \$5,940.00 for the emergency purchase of paint without previous authority of law.

Also,

No. 1109 Resolution providing for the issuance of a warrant in favor of Central Nebraska Packing, Inc. in the amount of \$2,646.00 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law.

Which were severally read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1110 Resolution transferring \$30,000.00 from Account No. 1703 Utilities to Code Account No. 1709 Refunds and Interest, Water Rents.

Which was read and referred to the Committee on Finance.

Also,

No. 1111 Resolution authorizing the Director of the Department of Water to grant the application of John Hobart Miller, Inc., 1376 Freeport Road, Suite 2A, Pittsburgh, PA 15238, for water supply and private fire hydrant connection outside the City of Pittsburgh.

Also,

No. 1112 Resolution accepting the dedication of Gateway Capital Inc., of a piece of ground variable in width and length being part of Lot No. 2 in Gateway Plan of Lots No. 2 of record in the office of the Recorder of Deeds of Allegheny County, Pennsylvania in Plan Book Volume 110,

Pages 94, 95 and 96, and situate in the Second Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Water.

Also,

No. 1113 Petition from the residents of Hazelwood requesting a hearing on more police protection because of vandalism and crime in their community.

Which was read and referred to the Committee on Public Safety.

Mrs. Masloff presented

No. 1114 Resolution amending Resolution No. 207, effective April 4, 1980, entitled, "Providing for a lease agreement or agreements with the Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh, located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions, for the renovation of the facility and for payment of the cost thereof; and amending Resolution No. 1495 of 1978" by increasing the amount authorized.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1115 Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizens facilities in an amount not to exceed \$50,000.00.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Stone:**

Our President is away on official business and Councilman O'Malley I hope, is on other business. But at any rate he is not here and Sophie will present his papers.

**Mrs. Masloff for Mr. O'Malley presented**

No. 1116 Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Citizens-Police Partnership Against Crime Program (CPP-ACP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Citizens-Police Partnership Against Crime Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; and providing for the deposit of the funds in a bank account; providing for an agreement or agreements with the Neighborhood Centers Association to implement said program and providing for the payment of the cost thereof.

Also,

No. 1117 Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Police-Community Broker Program (P-CBP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Police-Community Broker Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the program; providing for the deposit of the funds in a bank account; providing for an Agreement or Agreements with the Communities Com-

bating Crime to implement said Program and providing for the payment of the cost thereof.

Also,

No. 1118 Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Pittsburgh Alliance for Safer Neighborhoods Program (PASNP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Pittsburgh Alliance for Safer Neighborhoods Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; providing for the deposit of the funds in a bank account; providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance to implement said Program and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Public Safety.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mrs. Masloff for Mr. Robinson presented**

No. 1119 Resolution providing for an Agreement or Agreements with the Central North Side Neighborhood Council for implementation of a technical services program for the North Side Tenants Reorganization at a cost not to exceed \$20,000.00 and providing for the payment of the cost thereof.

Also,

No. 1120 Resolution further amending Resolution No. 735 approved August 20, 1979 as amended by Resolution No. 829 approved September 20, 1979 entitled, "Resolution providing for a Supplemental Agreement or Agreements with ACTION-Housing, Inc. for professional services in connection with the Department of Housing's Neighborhoods for Living Center by changing the source of funds and by increasing the amount provided therefore from \$110,000.00 to \$190,000.00."

Also,

No. 1121 Resolution repealing Resolution No. 265, approved March 29, 1979, effective April 3, 1979, entitled, "Providing for a Second Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh amending the Community Development Block Grant Cooperation Agreement of 1978 by providing for the reallocation of \$75,000.00 from the Home Repair Loan and Grant Program to a Contingency Fund for contract completion: and amending Resolution No. 860, effective August 9, 1978, as amended by Resolution No. 1556, effective December 31, 1978."

Also,

No. 1122 Resolution amending Resolution No. 700, approved August 7, 1979, effective August 10, 1979 entitled, "Providing for a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program, by deleting two line items; and further reducing the amount in a certain line item" to read as follows:

Also,

No. 1123 Resolution amending Resolution No. 5537 approved June 12, 1980, providing for a Contract or Contracts for the demolition and removal of condemned buildings and providing for the payment of

the cost thereof, by reallocating line item totals to conform with the Capital Budget.

Also,

No. 1124 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Tom Mistick & Sons, Inc. for an amount not to exceed \$7,460.00 under the Neighborhood Housing Fund.

Also,

No. 1125 Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allied Maintenance Corporation of Pennsylvania for the sale of Parcel 1B in the 21st Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mrs. Masloff for Mr. Stone presented

No. 1126 Resolution providing for an Agreement or Agreements with Compad International Company, Inc. to provide classroom training and employment and training services for CETA participants and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1127 Resolution providing for the

issuance of a \$1,044.89 warrant to Graham Smith in full settlement of claim for vehicle damage; and providing for payment thereof.

Also,

No. 1128 Resolution providing for the issuance of a \$993.13 warrant to Lois A. Funk in full settlement of claim for vehicle damage; and providing for payment thereof.

Also,

No. 1129 Resolution providing for the issuance of a \$1,381.27 warrant to Wausau Insurance Companies and Mary Ann Bittner in full settlement of claim for vehicle damage; and providing for the payment thereof.

Also,

No. 1130 Resolution providing for an Agreement or Agreements with School District of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof.

Which were severally read and referred to the Committee on Finance.

**Michelle Madoff:**

Mr. Perry, regarding No. 1126, wasn't it agreed this morning, and I guess it is a little early, but it has been six months, that you would have what the item is for so when we get into our agenda it will give us just two sentences, what we learned this morning, that training is going to be for monitors and inspectors or something. just two sentences so we know what they are for, and it helps even on a Monday meeting so we can think ahead, so if someone says, "Why didn't you find out beforehand?" If I know today, I have two weeks to find out. I'm counting on you for next Monday.

Also, Mr. Stone, while you are waiting for the papers, I wonder if you can clarify something for me. Do you recall a bill last

week on Penn Drilling where I objected to paying because I felt that Crown should pick up that cost? I was voted down on it, but it isn't in the bills today, I'm a little confused.

**Mr. Coyne:**

Mr. President, I think Mr. Albert explained it, that is the communication that came up in Wednesday's meeting — did Mr. Albert explain it?

**Michelle Madoff:**

Mr. Albert said that it was interim approval, I don't know what that means.

**Mr. Coyne:**

Well, what it is, it is a communication from the Department for interim approval and later we'll get the Wallace Act and you will have the ability to vote up or down on it at that time.

**Mr. Stone:**

We preliminarily approved it.

**Michelle Madoff:**

What I am saying is that if we moved on it Wednesday I assumed we vote on it today, that is why I am confused, wouldn't it normally come up?

**Mr. Coyne:**

That is not correct, you wouldn't vote on it today, you will vote on the warrant afterwards.

**Mr. Stone:**

The final action is the Wallace Act as Mr. Coyne has indicated.

**Mr. Perry:**

There is no final action on a communication.



**Michelle Madoff:**

Why is that a Wallace Act?

**Mr. Stone:**

Because it was not authorized in advance.

#### **REPORTS OF COMMITTEES**

**Mrs. Masloff for Mr. Stone presented**

No. 1131 Report of the Committee on Finance for June 18, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1011**

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Fifteen Thousand Four Hundred Sixty Two Dollars and Sixty Seven Cents (\$15,462.67) in payment for 'Extra Work' in connection with the construction of Herron Avenue, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

**Mr. Coyne  
Mr. Flaherty  
Mr. Givens**

**Michelle Madoff  
Mrs. Masloff  
Mr. Stone  
(Pres't pro tem)**

**Ayes 6    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 1013**

A Resolution entitled, "Resolution transferring Forty One Thousand Ninety Three Dollars and Eight Cents (\$41,093.08) from LPWEA Trust Fund to (WD 77-15) 4-05-30-0280-77."

Which was read.

Also,

**Bill No. 1014**

A Resolution entitled, "Resolution transferring One Thousand Two Hundred Fifty (\$1,250.00) Dollars from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

**Mr. Coyne  
Mr. Flaherty  
Mr. Givens**

**Michelle Madoff  
Mrs. Masloff  
Mr. Stone**

**(Pres't pro tem)**

**Ayes 6    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 1023**

A Resolution entitled, "Resolution providing for the issuance of a warrant to Rea Construction Co., Inc., in the amount of \$1,912.54; W. G. Tomko & Son, Inc., in the amount of \$1,297.46; and Solar Construction Co., Inc., in the amount of \$452.01; totaling in the aggregate \$3,662.01 in payment for extra services furnished for the benefit of the City in connection with construction of No. 32 Engine Company, Golden Triangle and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1027**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Braunlich-Roessle Electrical Repairs, Inc., P.O. Box 2831, Pittsburgh, PA 15230, in the amount of \$6,324.25 in payment for the purchase of a 400 H.P. Motor for the Saline Pumping Station and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1028**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A. F. Shane Company, 654 Alpha Drive, RIDC Park, Pittsburgh, PA 15238, in the amount of \$895.68 in payment for repair of an Onan Generator and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1037**

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of the General Electric Company, P.O. Box 4176, Lynchburg, Virginia 24502, in the amount of \$84,091.00, in payment for the purchase and installation of radio equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Michelle Madoff</b>
<b>Mr. Flaherty</b>	<b>Mrs. Masloff</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

Ayes 6    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

**Bill No. 1038**

A Resolution entitled, "Resolution transferring Four Thousand (\$4,000.00) Dollars from Code Account No. 42, Contingent Fund, to Code Account No. 1838, Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1042

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code by correcting inadvertent typographical and editorial errata therein."

Which was read.

Mr. Stone:

I've just been given this bill, Bill No. 1042, and as I see this thing now, I don't see this to fall under the so-called errors and typographical and inadvertent matters. There seems to be a lot of substance in it, I'll entertain a motion to refer it back to committee, to recommit.

Michelle Madoff moved to recommit Bill No. 1042.

Mr. Coyne seconded the motion.

Which motion prevailed.

Michelle Madoff:

Is that the one you want to find out — you asked if there were substantive changes, they said no, but you feel that there are?

Mr. Stone:

We're talking about imposing some criminal offenses here, we are talking about changing of fees, we are talking about some tax structure, and I don't know how we

can pick that up as an inadvertent matter, it bothers me slightly. I think maybe we ought to give that the kind of treatment it needs.

Also,

Bill No. 1043

A Resolution entitled, "Resolution providing for the issuance of a warrant to Monte McChester in the amount of \$1,000.00 in full settlement of claim for alleged false arrest and false imprisonment, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1044

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

Ayes 6 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1045

A Resolution entitled, "Resolution providing for an Agreement or Agreements with United Mental Health, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1046

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Labor for a grant in connection with the Comprehensive Employment and Training Act, as amended, Title III Project providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Comprehensive Employment and Training Act, as amended, Title III Project, providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; and providing for the deposit of the funds in the CETA Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 1132 Report of the Committee on Public Works for June 18, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1015

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ackenheil & Associates for geotechnical engineering services in connection with the Frantum Street Bridge over Saw Mill Run, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1016

A Resolution entitled, "Resolution vacating Annapolis Street from Cornell Street to its northerly terminus in the 27th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1017

A Resolution entitled, "Resolution vacating and providing for the conveyance of a portion of Cherry Way between Third Avenue and Fourth Avenue in the First Ward of the City of Pittsburgh, excepting and reserving all City of Pittsburgh water and sewer lines therein."

Which was read.

Also,

Bill No. 1018

A Resolution entitled, "Resolution repealing Resolution No. 447, approved May 22, 1980, effective May 27, 1980, entitled, 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures, creating a special trust fund in connection with the project and providing for the deposit in a bank account'."

Which was read.

Also,

Bill No. 1019

A Resolution entitled, "Resolution amending Resolution No. 488, approved May 24, 1979, effective May 29, 1979, entitled, 'A Resolution providing for the taking, appropriating and condemning by the City of Pittsburgh, for public sewer easement purposes, certain property of Dorothy M. Reynolds; William Vernon Hunter and Elizabeth J. Hunter, his wife; Leonard L. Coppola, Jr. and Patricia A. Coppola, his wife; Wayne R. Marlett; Albert T. Ferrari; Raymond C. Ward and Margaret I. Ward, his wife; R. G. Emanuel and Marie L. Emanuel, his wife; Anna M. Doerr Estate; Michael T. Stanley and Peggy Jo Stanley, his wife; George S. Reynolds and Dorothy M. Reynolds, his wife; Donald M. Melzer and Karen A. Melzer, his wife; Walter Foster and Marie Foster, his wife; Nick James Brack and Elsie Brack, his wife; Alexander Lawson and Cynthia A. Lawson, his wife; Paul T. Moore and Bernadette Moore, his wife; Albert J. Dvorsky and Mary Dvorsky, his wife, and Mathias N. Miller, Mathilda Miller, his wife and Louis

Miller; situated on Mifflin Road and private property in the Thirty-First Ward of the City of Pittsburgh' by redefining funding sources."

Which was read.

Also,

Bill No. 1058

A Resolution entitled, "Resolution providing for easement for encroachments on Third and Fourth Avenues."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Michelle Madoff</b>
<b>Mr. Flaherty</b>	<b>Mrs. Masloff</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff for Mr. Robinson presented**

No. 1133 Report of the Committee on Planning, Housing and Development for June 18, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1067

A Resolution entitled, "Resolution providing

for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Giant Eagle Urban Development Action Grant; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Michelle Madoff</b>
<b>Mr. Flaherty</b>	<b>Mrs. Masloff</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff** presented

No. 1134 Report of the Committee on Water for June 18, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1029

A Resolution entitled, "Resolution providing for a contract or contracts for the cutting and plugging of a 12" water main in conjunction with the demolition of the Pennsylvania Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

At the Mayor's meeting this morning, I once more asked our Director about the contracts going out for bid. They hope to get them out in 30 days, that means it is out to bid in 30 days — originally it was 60 days. They don't think they will be working, they cannot guarantee they will be working until September. If we have an early winter this year has just been shot on inflation. I knew you were going to try to see what you could do —

**Mr. Stone:**

I'm sorry, I don't quite understand what you are talking about at this point.

**Michelle Madoff:**

Do you recall, we talked about you giving us —

**Mr. Stone:**

Bids on what?

**Michelle Madoff:**

I'm sorry, in the Water Department to get the engineers getting some of the contracts out and I had asked if you would take some time, I know you are busy, to see what you could do to expedite matters. I have been absolutely hitting my head against a stone wall — we are now —

**Mr. Stone:**

Let's go back to that one, you asked and I did inquire and it was my impression that it had been to the Mayor's Office and come back and was going now to Civil Service, so it had not been tied up in Civil Service, but rather only recently appointed, or given to someone.

**Michelle Madoff:**

We are talking about two things, there are two items of business, one was getting the engineers, they are not going to give engineer threes, they are going to give engineers ones and two, which means our only engineer three that we have still has to supervise the work. They can sub-contract, they do have lists of sub-contractors, but the issue now is that they were not putting anything out to bid for 60 days, that is the earliest. They are going to try to expedite it for 30 days. I asked Director Cosentino, could he guarantee they would be out working August 1st, no, September 1st. Now you know what we are talking about — October and then winter, and —

**Mr. Stone:**

If we are holding back a job based on the lack of engineering, I think it ought to come up — Mike, set it up for a week Wednesday, let's get that thing up and tell them in advance that he and all other parties affected, if we are holding back projects because of lack of engineering, let's get to it.

**Michelle Madoff:**

Well, I'm not sure that's the reason, what I am saying is what you have said ever since I've been here, is that the cost of inflation is killing us, and with taxes, I think we have to expedite, I don't know how — they are talking about the paperwork and the processing. If we need staff to process and do the paperwork, in the long —

**Mr. Stone:**

That should be the last problem of ours —

**Michelle Madoff:**

Well, that is what they say their problem is.

**Mr. Stone:**

We just gave to the Department of Supplies twenty employees, and it was my understanding that that was going to expedite all of the contractual needs that we had.

**Michelle Madoff:**

Well, I'd appreciate any help you could offer.

**Mr. Stone:**

So that should not be the problem, they got 20 new jobs in 1980.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Michelle Madoff</b>
<b>Mr. Flaherty</b>	<b>Mrs. Masloff</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>

(Pres't pro tem)

**Ayes 6    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

No. 1135 Report of the Committee on Parks and Recreation for June 18, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1030**

A Resolution entitled, "Resolution providing

for agreements for personal or professional services and for a contract or contracts, or use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1031

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for use, by the City of certain facilities owned by the School District of certain facilities owned by the City during the period of January 1 to December 31, 1980 and from year to year thereafter."

Which was read.

Also,

Bill No. 1039

A Resolution entitled, "Resolution authorizing an Agreement or Agreements or the use of existing agreements for professional services to be provided to the Uptown Little League."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 1136 Report of the Committee on Lands and Buildings for June 18, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No 1024

Resoluiton providing for the sale of property on Blair Street in the 15th Ward being vacant land, designated as Block 56-N, Lot 93, to Peter and Stephe B. Fedyshin, his wife, for the sum of \$1,300.00.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Michelle Madoff
Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Stone
	(Pres't pro tem)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## **MOTIONS AND RESOLUTIONS**

**Mr. Givens presented**

No. 1137 WHEREAS, June 22 to June 28 has been proclaimed by the City



of Pittsburgh as "Pittsburgh Family Unity Week"; and

WHEREAS, Family Unity Week is a week devoted solely to the development of closer families; and

WHEREAS, the objectives of the week are to stress the importance of the family unit in our society by examining the environmental and social effects that are causing the family to decay; and

WHEREAS, the Pittsburgh Family Week Committee has scheduled a calendar of events outlining the theme of each day and various activities available to the public,

#### NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize June 22 to June 28 as "Pittsburgh Family Unity Week", and encourage our citizens to examine what we as a community can do to uphold and cultivate the family unit in our society.

BE IT FURTHER RESOLVED that this Council urges the citizens of Pittsburgh to take part in the activities and events scheduled by the Pittsburgh Family Week Committee as part of a major step in upholding the sanctity and unity of the family.

Which was read.

Mr. Givens moved for approval.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I would like to make a few comments on the resolution itself. I think we all have to appreciate that family is the main thing, it is even the theme of our local ball clubs, etc. For example Sunday was worship day, today is supposed

to be family night and one we will sit down at the supper table and eat and break bread together. Tuesday will be letter day where in the poster people will be given a cancellation stamp commemorizing the family itself. Wednesday is ol' grandpappy's day and grandma's day where we not forget the old people and include them in.

You know, my old family homestead is right across the street from the family high-rise for the elderly, Mr. President, and I hate to say it, but I don't see any cars coming in and leaving that place very often, nor do I see the old people coming and leaving very often either, which leads me to the conclusion that maybe some of our people are just being put in a particular institution almost, and the children possibly might be forgetting them. I hope that is not the case, but it is something and this is why the whole nation of this year, it is for the family itself.

Again, Friday will be single parents day. There are many parents who through one reason or another, death, etc., have to raise a family by themselves and there are many problems in our society in that respect.

On Saturday, they are going to have a picnic for the family at Point State Park, for all people to try and join in.

I have here a complete list of the various radio stations, t.v. stations, newspapers, etc., who have done a wonderful job in bringing this to light, it is going to be on the talk shows this week, so people can call in and discuss what the problems are. I think if one would tune in and listen to how people feel about how their children treat them, how the parents treat their children — it is going to be quite interesting and naturally the focal point is to bring the family together, hopefully, once and for all, because I think we all can appreciate, and as I have mentioned on several occasions, without the family, as the unit of our first form of government, we wouldn't have a government of the people, by the people.

Thank you Mr. President.

**Michelle Madoff:**

Mr. President, I would like to touch on a number of items and I think they are all important. As you know, we voted last week on the gasoline situation on the signs and I don't know whether everybody in Council saw the eloquent editorial in Friday's Press, "City Gasoline Prices Are a Gas" — referring to Councilman Jim O'Malley who pushed the price posting ordinance through Council, claiming this is a victory for consumers, now that is a real gasser, and it closes with, "if Eugene DePasquale", and any and all of us, Coyne, Flaherty, Madoff, blah, blah, blah, blah, "don't want, or can't pump their own gas, okay, but why did they insist that no one else in Pittsburgh should be allowed to do it either.

It seem to me, and I don't remember dates very well, but I think this original bill came up about the time I hit Council, that has got to be about two years ago, would I be in the right ballpark? A year and a half, two years ago?

**Mr. Stone:**

Somewhere around there.

**Michelle Madoff:**

It seemed to me there was some sentiment in Council that we might go both ways, meaning that stations could have a self-service station as well as a full-service station in the same station, you could go to one pump or the other, so those who, like myself, who would like to have the full service and those who want to pump it who are screaming at me, "How did you stop us?", could possibly take advantage of either or. I was very new at that time, there had been a lot of dialogue that had gone on with members of Council, I had never been lobbied, or no one had ever talked to me about it, I just came in and called a hearing.

But something occurred to me this weekend, I was out in — I'm trying to think of the name of the area, it was one of the areas near here, on the way to the club, and they have two self-service stations, but they are isolated. There is one as you go out of Swissvale and there is one as you go into — I just can't think of the area, but there was nothing around it. I wonder if one of the problems or one of the objections of Council was that if you had an accident at a gas station in a very congested area that would compound a tragedy and it might be worthwhile looking into it because if anybody hasn't read this editorial I'd be happy to make xerox copies. It says, you know, we argued that it was dangerous and people would get hurt and blah, blah, blah, but nobody has in the suburbs and why should the people of the City be denied the savings. I think it is a valid point that we should at least look at, if the reason was that it indeed were in a congested area and that is a safety measure, maybe we ought to continue in our thinking. If not, I see no reason, and I have talked to some of the private gas station owners and they felt, they said they didn't care personally whether it went both ways — they were very adamant about having to go entirely self-service. But I think there is a valid point in this editorial — how can we, as legislators of the City say people who want to save money and pump their own gas, at stations who also can offer the service, and my objection, I recall at the time, was that if you had a light bulb out or a fan belt and you have to take it back to your dealer, that was a problem, and of course no attendants being around with lit cigarettes when you are self-service.

I'm just suggesting that it might be something that we might want to look into a little bit further because I don't think we should be branded irresponsible in that sense in not caring about the pocketbook and I raise it as something to look into at a future time.

**Mr. Stone:**

My only comment, it is easy to brand

someone as not being intellectual or having some concern for others when it is coming out of their particular mouths.

**Michelle Madoff:**

Are you saying this about me this time?

**Mr. Stone:**

No, I'm not impressed with people who give their opinion and try to give it as fact. This Council passed on that and not with any haphazard kind of arrangement. They passed it, they had a hearing on it, had the opportunity to hear all the pros and cons on it and in my opinion this Council made a very intellectual and intelligent decision, and for me personally, I see no reason to change it since, other than I have seen some things that probably fortified a reason that Council in its infinite wisdom that we wouldn't have that kind of thing.

**Michelle Madoff**

Would you share that with us? What have you seen?

**Mr. Stone:**

Since I was going to the airport at one time and had to stop on my way out and found a lady who was putting gas in with a cigarette in her hand and I found that to be a rather interesting thing. And if that is the kind of thing we need in the City of Pittsburgh, I think we need it like we need a hole in the head, but aside from that, personally, I don't see any need for any changes at this time. I didn't have any reservations then and I didn't have any fifty/fifty balance on it, it seemed to me to be very weighted in the direction of no self-service in the City of Pittsburgh where the population is very dense and the risk is very great in addition to all the loss of employment that was there, and in my personal opinion, you may take that one as well, that before too long, the price will be back up where it is whether it is self-

service or not, although there is that initial argument that someone says it will be two cents cheaper. For whom? Long enough till we get it all self-service and the price will go back up, nobody gets their window cleaned, and you go, like I did, out in Swissvale and try to get a bucket to put some water in your car and the only way you can do it is to go into their store there and if you buy the bucket they will give you the water, maybe, so that you can put it into your car. I think it is a great tragedy what has happened to our gasoline stations, frankly, and —

**Michelle Madoff:**

Haven't you had people say to you, "I'd like to pump my own gas, why are you?"—

**Mr. Stone:**

I haven't had anyone in the City of Pittsburgh tell me that.

**Michelle Madoff:**

I have, on numerous occasions and I am just saying that since constituents ask the question, I think it is worth raising and I think that if there is no overwhelming objection by the — I don't know even if that is an issue — if indeed the safety factor could be handled because there are attendants for the service part of the station so that you wouldn't have people smoking cigarettes with the self-service, it might be something to consider, I'm not —

**Mr. Stone:**

No, I think the burden ought to be the other way. We've already made a decision, unless the evidence is so overwhelming that that is the direction in which we should go, then I think it ought to stay where it is.

**Michelle Madoff:**

Where would we get that evidence? Would we get it from Triple A?

**Mr. Stone:**

Well, I haven't gotten any cry for this thing, so as far as I'm concerned its going to stay right where it is.

**Michelle Madoff:**

Well I just raised it because at that point my own personal feelings being new, were that I would like to have seen a balance at each station.

**Mr. Stone:**

As I indicated to you earlier, I thought Council made a very, very, very cogently clear argument and based on the merits, they did what I thought was the right thing.

**Mr. Givens:**

Well, I would like to collaborate with you on what you have just indicated —

**Michelle Madoff:**

Collaborate?

**Mr. Givens:**

Yes, I can use that word I think.

**Mr. Stone:**

You have the floor Mr. Givens.

**Mr. Givens:**

Yes, I have the floor, thank you Mr. President. The fact that safety was one of the major things — if you look at many of the service stations, one where I live, out near the West Penn Hospital, there is a service station right next door and when I see these tanks being taken up out of the ground, there is not just one tank down there, there are four or five huge underground storage tanks right next to a hospital area. This is my deep concern.

Secondly, in revisiting some of the old places that I lived where they used that

type of service station, there is no service station, that is a gas station, gas pumping only, there is no service or maintenance, none whatsoever. And I found many family businesses were torn out and ripped apart because of that one entity. The gas companies are in business for one reason and that is to pump gas. They could care less about some of the service things that are done in behind the scenes. They would rather a mechanic do that kind of work and have the service type of people pump gas and gas only and it is very difficult. The difference in price is only a penny or two difference that I had found before the increases of our gas prices. It would be interesting to see what some of those different prices are right now with the different companies on the self-service, but as you so indicated, many people forget what they are doing, they will start that pump up, get back in their automobile that I have ever witnessed, working around petroleum, all my life until I came on this Council was because of someone not grounding a particular aircraft, or some type of flammable explosion and once that happens it is a damn gory scene to see people after they have been burned

**Michelle Madoff:**

A couple of other items — I don't want to take a great deal of time, besides I think the audience is rather limited and it pertains to — it is a very important matter to come before all of Council, but I will read you the first paragraph. This is from Grace Harrie to me, and as you know for some time I have been asking what we can do about water exonerations, I think the figures that I was able to lay my hands on, and they are very incomplete, are well over a million dollars in light of tax problems, on people who owe the money. There has been nothing wrong, there have been no leaks, or if there has been a leak they have had ample time and they haven't done anything about it. She has several suggestions, one is to either abolish the Exoneration Board, one is to amend and delete some of the powers and to make some suggestions. I will Xerox the

letter and see that everybody gets it and then we will have an appropriate hearing.

One last item. As you know I was appointed by Mr. DePasquale to be head of the Sub-Committee on Energy and I have been very busy, probably spending most of my waking hours with the Allegheny Conference and people involved with the Allegheny Steam Heat problem. I will try to get a meeting in Washington tomorrow with DOE. I am waiting for a call now, I am going to go for a couple of days to see if we can lay some groundwork. We are trying to buy one year's time. We are trying to get everybody to make a commitment that they will not leave the system for a year because if they do, the numbers of people defecting would put the burden on those remaining. They have now put the burden onto Duquesne Light, Duquesne Light is contacting all their suppliers, the 300 odd people in the area, asking them to give us a year. We have some avenues that we wish to explore, perhaps private utilities, perhaps some kind of underwritten utility by users or even somebody coming in and using it as a turnkey as a profit making venture, because, and I don't want to get into all the details, as I say, there is nobody here to hear it anyway, but the situation being that if we don't have an energy source in this area and we have gas as the source and we have curtailments, we are in big trouble, we don't attract new industry. Over the weekend I had a letter from the Department of Energy, only because I am still on the mailing from my environmental days, and it says there will be a hearing to address the prohibiting of burning of petroleum, natural gas and

power plants. I believe Allegheny Steam Heat might conceivably fall under that, we have been told, I asked Mr. Seymour of the gas company, would you be willing, since you are telling us we have 25 years supply, would you be willing to put in writing that we will not have curtailments as we did in the '77 and '78 cold winter and he said, "Of course we can't do that". He also said we would have something like a 12% inflationary — there is a letter that just came from Energy User News that said this year it will go up 25%, so we are not really going to be that far non-competitive with the Allegheny Steam Heat which is converting its 12th Street plant to natural gas, bringing the price down and hopefully the Stanwix will just be used as a standby facility, but if I am not here Wednesday you will know where I am.

**Mr. Givens** moved to excuse Mr. OMalley, Mr. Robinson and Mr. DePasquale for absence from this meeting.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Monday, June 9, 1980.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Givens**,

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, June 30, 1980

No. 26

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, June 30, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne preseneted

No. 1138 Resolution authorizing the issuance of a warrant in favor of H. F. Carter, Incorporated, in the amount of \$8,006.84, in payment for work performed

at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1139 Resolution amending Resolution No. 567, approved June 23, 1977, effective June 27, 1977, entitled, "A Resolution providing for a Contract or Contracts for the rehabilitation of various City Streets, "B" Program, including paving, curbing, related waterline replacement and other work incidental thereto, and providing for the payment thereof".

Also,

No. 1140 Resolution vacating the northerly half (10 feet) of Navy Way from Scorer Street to Diller Avenue in the 31st Ward of the City of Pittsburgh.

Also,

No. 1141 Communication from Louis

Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$35,000.00 to Trumbull Corp. for snow removal services.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1142 Resolution providing for the issuance of a warrant in favor of Carrier Air Conditioning in the amount of \$730.00 in payment for emergency repairs to the central system at the Public Safety Building, and providing for the payment thereof.

Also,

No. 1143 Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of \$975.00 in payment for services performed in connection with testing of valves at the City-County Building; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1144 Resolution providing for an agreement or agreements with Ernst and Whinney, 2000 Pittsburgh National Bank Building, Fifth Avenue and Wood Street, Pittsburgh, PA 15222, for professional auditing services in connection with the Public Building Energy Conservation, Inventory, Scope and Rehabilitation (Weatherization Program); and providing for the payment of the cost thereof.

Also,

No. 1145 Resolution amending Resolution No. 559, effective June 25, 1980, entitled, "Resolution further amending Exhibit 1 of Resolution 1038, effective January 6, 1977, as amended by Resolution 424, effective May 22, 1980, entitled: "Resolution adopting the 1977 Capital Budget allocating and setting aside amounts in connection

therewith; creating Capital Trust Funds, and transferring Bond Funds to said Capital Trust Funds by reallocating funds for the Department of Lands and Buildings", by reducing Bond Funds and reinstating funds from other sources in Capital Project LB 77-08, City-County Building Renovations for Fourth Floor.

Also,

No. 1146 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various Wards of the City of Pittsburgh, in accordance with Act No. 514 as amended, and providing for the forfeiture of hand money.

Also,

No. 1147 Resolution amending Item (O) of Resolution No. 289, appr. 4-16-80, for the sale of property in the 31st Ward on Coke, Niceville and Basic. Amendment is to delete plan lot #626 reduce price of sale from \$4,400.00 to \$4,100.00 and correct Plan name in parcel 90-S-101.

Also,

No. 1148 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1149 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$437.00 to Pittsburgh Testing Laboratory for services performed in connection with testing of valves in the City-County Building, to be payable from Bond Fund 228, 4-25-00-0001-74, Department of Lands and Buildings.

Also,

No. 1150 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of



payment of \$5,854.43 for extra work in connection with construction of No. 2 Police Station to be payable from Bond Fund 227, 4-25-00-0001-73, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Michelle Madoff** presented

No. 1151 Resolution further amending and supplementing a portion of Resolution No. 1230 of 1979 as amended by Resolution No. 655, approved February 15, 1980, entitled, "A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1980 and ending December 31, 1980", by adding a new Code Account to the Water Fund operating budget.

Which was read and referred to the Committee on Finance.

Also,

No. 1152 Resolution amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by decreasing the appropriation for line item WD-80-10 and changing the description of line item WD-80-12 and increasing the appropriation of same.

Also,

No. 1153 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$8,500.00 for purchase of 30" gate valve for Brilliant Pumping Station.

Which were read and referred to the Committee on Water.

**Mrs. Masloff** presented

No. 1154 Resolution amending Reso-

lution No. 204, effective April 4, 1980; entitled, "Providing for the transfer of funds in the amount of \$35,000.00 from Code Account 45, Health Insurance to STF #2, "Young Adult Conservation Corps. Project." by increasing the amount.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 1155 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: RHINE STREET; HASLAGE AVENUE; Block 47P, Lot 109 in the Allegheny County Block and Lot System; YETTA AVENUE; the easterly boundary line of Block 47P, Lot 158 in the aforesaid System to a point located on said boundary line a distance of 93.67 feet extending from the northerly right-of-way line of YETTA AVENUE; thence S 87° 24' 00" E 57.00 feet; thence N 2° 36' E 14.50 feet; thence S 87° 24' 00" E 49.46 feet; thence S 82° 43' 00" E 47.08 feet to RHINE STREET, 24th Ward.

Also,

No. 1156 Resolution approving a Conditional Use under Section 993.01 (a) A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Ambrose Manor, Inc. for construction of a nine-story high-rise building with 101 dwelling units as a housing facility for the elderly with parking for 22 cars on property located on the westerly side of RHINE STREET between YETTA AVENUE and HASLAGE AVENUE, 24th Ward.

Also,

No. 1157 Resolution amending Resolution No. 503, approved June 4, 1979, effective June 7, 1979, entitled, "Resolution providing for an agreement or agreements with Detwiler Associates for architectural

services in connection with the Innovative Grant, Residential Clubs Program," by decreasing the amount of the agreement or agreements.

Also,

No. 1158 Resolution amending Resolution No. 443 of 1980 providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof by increasing the cost thereof.

Also,

No. 1159 Resolution amending Resolution No. 301 approved April 6, 1979, effective April 11, 1979, entitled, "Resolution providing for an agreement or agreements with Better Community Services, Inc. for professional services in connection with the Innovative Grant, Residential Clubs Program located on the North Side of Pittsburgh," by increasing the amount of the agreement or agreements to provide for rehabilitation supervision.

Also,

No. 1160 Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the **Gateway Clipper at Station Square Urban Development Action Grant Project**; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the **Gateway Clipper at Station Square Urban Development Action Grant Project**; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1161 Resolution providing for the

filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the **SILVER LAKE URBAN DEVELOPMENT ACTION PROJECT**; providing for the execution of a Grant Contract for the filing of requisitions and other data; approving the **SILVER LAKE URBAN DEVELOPMENT ACTION GRANT PROJECT**; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification.

Also,

No. 1162 Communication from Ed deLuca, Director, Department of City Development requesting permission for Kevin Hurley to attend Urban Development Conference, Boston, MA, August 3-6, 1980, cost not to exceed \$575.00 payable from Economic Development Planning Program Trust Fund.

Also,

No. 1163 Communication from Ed deLuca, Director, Department of City Development, requesting permission for himself to meet with Secretary of Commerce, Harrisburgh, PA, July 7-8, 1980, cost not to exceed \$225.00 payable from Economic Development Planning Program Trust Fund, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1164 Resolution providing for the issuance of a warrant to Christina Gregg, in the amount of \$8,500.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also,

No. 1165 Resolution providing for the issuance of a warrant to Joseph L. Jones, 230 East Jefferson Street, Pittsburgh, PA,

15212, in the amount of \$1,250.00 in full settlement of a claim for personal property damage, and providing for the payment thereof.

Also,

No. 1166 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, in the amount of \$907.50 in payment for labor and related installation services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof.

Also,

No. 1167 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$826,000.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from May 5, 1980 through June 1, 1980.

Also,

No. 1168 Resolution providing for an agreement or agreements with Job Developers Coalition of Western Pennsylvania to provide classroom training and employment and training services for CETA participants and providing for the payment of the costs thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1169 Resolution repealing Resolution No. 374, approved April 25, 1980 effective April 28, 1980 entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of wood tables for the Department of Personnel and Civil Service Commission and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Also,

No. 1170 Communication from John McAllister, Manager, Information Systems, requesting permission for Messrs. O'Carroll, Atkins and Kostrub, City Information Systems, to attend Data Base DM-IV Transaction Processor Course, McLean, Virginia, August 18-22, 1980 at a cost not to exceed \$1,775.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 1171 Communication from Ronald Schmeiser, City Treasurer, requesting permission for Judith Gula and Robert Yakich to attend Municipal Accounting Seminar for Government Accountants, Monroeville, PA, July 17 and 24, 1980, cost not to exceed a total of \$50.00 payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 1127 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Georgine to attend conference on training and technical assistance sponsored by U. S. Department of Labor, Camp Spring, Maryland, July 15-16, 1980 at cost not to exceed \$275.00, payable from CETA Trust Fund, federal funds.

Also,

No. 1173 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Elbert Kennedy, Marquita Beaford and Gwendolyn Branson to attend Career Advancement Voucher Demonstration Counseling Activities Conference, New Orleans, LA, July 22-25, 1980, cost not to exceed \$2,000.00 payable from CETA Trust Fund, federal funds.

Also,

No. 1174 Communication from Mel-

anie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Richard Atkins to attend Office of Personnel Management Workshop on Ratings of Training and Experience, Richmond, VA, August 19-22, 1980, at cost not to exceed \$600.00 payable from CETA Trust Fund, federal funds.

Which were read and referred to the Committee on Finance.

### UNFINISHED BUSINESS

The Chair presented

Bill No. 1175

June 23, 1980

President and Members of Council  
510 City-County Building  
Pittsburgh, Pennsylvania 15219

Re: Veto of Bill No. 979  
of 1980

Dear President and Members:

Bill No. 979 of 1980 is an ordinance amending Section 659.03 (j) of the Pittsburgh Code with respect to the jurisdiction of the Pittsburgh Human Relations Commission over private clubs.

I have discussed this bill with the City Solicitor and understand that both he and the attorney for the Pittsburgh Human Relations Commission have concluded that Bill No. 979 is legally infirm. Attached for your information are copies of these legal opinions, pointing out, among other things, that in attempting to regulate certain types of private clubs, as distinguished from "places of public accommodations," Bill No. 979 gives the Pittsburgh Human Relations Commission powers greater than those enjoyed by the Pennsylvania Human Relations Commission, in violation of the Pennsylvania Human Relations Commission Act; that the classification of private clubs described in Bill No. 979 is not reasonable and therefore violates the Equal Protection Clause of the Constitution; and that, to

paraphrase the late Justice William O. Douglas, the bill invades the "zone of privacy" protected by the First and Fourteenth Amendments.

While the elimination of unlawful discrimination is a laudable and important purpose, and one to which I am personally, and firmly committed, it must be kept in mind that the City must exercise its powers constitutionally and within the applicable statutory law. Home Rule is not a license, however well-intentioned the legislation may be, to violate the Constitution and to exercise powers greater than those granted by the Pennsylvania Human Relations Act, an act which is uniform and applicable throughout the Commonwealth.

For these reasons I hereby veto Bill No. 979 of 1980 and return the same unsigned. I urge you to reconsider this bill at the next meeting of City Council.

Very truly yours,

RICHARD S. CALIGUIRI

Which was read, received and filed.

Also,

Bill No. 979

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 659, Unlawful Practices, by amending 659.03(J), in relation to the powers of the Pittsburgh Human Relations Commission to eliminate discrimination because of race, religion and sex in private clubs where a significant portion of the membership conducts or engages in business."

Which was read.

Mr. Flaherty:

Mr. President, I would not want to address myself to the Mayor's veto and specifically to City Solicitor Mead Mulvihill's opinion. He touched upon three areas

into why he was objecting to the bill. I feel that the first one was in regard to the First Amendment which guarantees the Right of Free Association, and also the Fourth Amendment, Right of Privacy.

Now, I feel that it is a mere fact that a person has rights of privacy and free association and that this bill would intrude, does not necessarily mean that the bill is unconstitutional. All constitutional rights are in competition with each other. Other people have rights to be free from discrimination because of equal protection. If you will note the Warren Court's decision in 1954 to overturn Plessy vs. Ferguson, which espoused the separate and equal philosophy in regard to educational facilities. With the landmark Brown vs. Board of Education, in which schools had to be equal and integrated with all deliberate speed, or the Voting Rights Act of 1919 and 1964 which further amended constitutional principles by giving women and blacks the right to vote free of unequal States Rights roadblocks.

My belief is that the courts will find that society's interest in keeping its citizens free from discrimination by giving a definition to a distinctly private club will outweigh another citizen's right of privacy and free association.

The second point, that the bill classifies some private clubs and not others, does not necessarily make the bill unconstitutional. A classification may be made if it fulfills legitimate state interest and is not arbitrary and capricious because it fulfills legitimate state purpose and interest.

I feel that a club which discriminates against women and minorities, where at least 20% of its members income is paid for by corporations, is not distinctly private for two reasons, because the companies are publicly owned via shares of stock, and secondly, many clubs memberships are deducted by the corporations by tax write-offs. In essence, the public, or the taxpayer is picking up the tab for corporate executives.

Now, in regard to the other clubs, such as the Moose and the Elks, etc., they would not be covered by this bill because the membership there pays their own rights. That is the essential distinction I see between the two.

I further am justified and bolstered that the bill's intent is not arbitrary and capricious because of the soon to be promulgated U.S. Department of Labor regulation that any corporation which acquiesces to discrimination by way of club memberships shall not receive federal contracts.

The basis of my contention that the bill was legal was that we are a Home Rule Charter City. Mead Mulvihill points out that the State Enabling Act for Home Rule Charter states that the Pennsylvania Human Relations Act is uniform and applicable throughout the Commonwealth and thus remains in effect and may not be changed by Home Rule Charter. If my colleagues do not have any questions, then I would move to sustain the Mayor's veto of Bill No. 979, and at the appropriate time I am going to introduce a resolution which would urge the State General Assembly to consider amending the State Human Relations Act as to what is a distinctly private club.

**Mr. Stone:**

I second the motion to sustain the Mayor's veto.

**Michelle Madoff:**

Before we have the vote I would just like to commend Councilman Flaherty for the responsible way he has handled this whole issue and I do want to point out that in some of the media it was said that he did this for self grandendizement and I don't believe that was his purpose at all. I think he did it because he really believes in equality and fairness and for people like myself who are female who are occasionally discriminated against and I want to thank you personally for at least making the attempt and I hope that you will pursue it through its legal course.

**Mr. Flaherty:**

I appreciate it Michelle.

**The Chair:**

Is there any further discussion on the veto

And on the question, "Shall the veto be sustained?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the veto was sustained.

#### **REPORTS OF COMMITTEES**

**Mr. Stone presented**

No. 1176 Report of the Committee on Finance for June 25, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1000**

A Resolution entitled, "Resolution providing for a transfer of \$5,000 from Code Account 1045, Miscellaneous Services, Information Systems, Mayor's Office to Code Account 1042-1, Premium Pay, City Information Systems, Mayor's Office." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

**Bill No. 1001**

A Resolution entitled, "Resolution transferring \$4,500.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 1061-1, Premium Pay, Department of City Treasurer." (AS AMENDED IN COMMITTEE)

Which was read.

**Michelle Madoff:**

Mr. Stone on these first couple bills, where they are taking money out of — you changed from Salaries to Miscellaneous Services, I noticed that we have three or four bills today that are taking money out of Miscellaneous Services. What is Miscellaneous Services, generally?

**Mr. Stone:**

It's a line item called 1043, Miscellaneous Services.

**Michelle Madoff:**

I know that, but I mean what difference does it matter if we call it Salaries or Miscellaneous it could be for almost anything. We have no restrictions on this fund.

**Mr. Stone:**

Well that happens to be a different code account that has not been tapped so we are taking it from that one that they are not using.

**Michelle Madoff:**

Well, perhaps I could rephrase my question. What kind of dollars are in the miscellaneous fund, are they just very small amounts generally, or are they sizeable?

**Mr. Stone:**

I'm not sure on this one, but we needed

\$5,000 so I would assume there is more than \$5,000.

**Michelle Madoff:**

That was my concern, I'm just wondering when we get to budget time, whether that is an item we ought to start looking at because I am seeing a lot of miscellaneous accounts coming up, that is why I raised the issue.

Also,

**Bill No. 1012**

A Resolution entitled, "Resolution transferring the sum of (\$65,000.00) Sixty-Five Thousand Dollars from Code Account 10, Accounts Payable Prior Years to Code Account No. 1174, Rental of Equipment, Department of Environmental Services." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

**Bill No. 1066**

A Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies and Materials, within the Department of Fire."

Which was read.

Also,

**Bill No. 1085**

A Resolution entitled, "Resolution transferring \$2,500.00 from Code Account No. 1073, Miscellaneous Services, etc., to Code Account No. 1072-1, Premium Pay, Water Assessors Division, Department of City Treasurer." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

**Bill No. 1086**

A Resolution entitled, "Resolution transferring the aggregate sum of \$6,000.00 within Code Accounts of the Department of Law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9      Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 1102**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$5,429.58 for the emergency purchase of tires furnished to the City without previous authority of law."

Which was read.

Also,

**Bill No. 1103**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

Firestone Stores in the amount of \$15,060.13 for the emergency purchase of automotive parts furnished to the City without previous authority of law."

Which was read.

Also,

Bill No. 1104

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ateco Equipment Company in the amount of \$2,127.99 for emergency repair work furnished to the City tow truck without previous authority of law."

Which was read.

Also,

Bill No. 1105

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$8,237.60 for the emergency purchase of unleaded gasoline without previous authority of law."

Which was read.

Also,

Bill No. 1106

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$5,780.00 for the emergency purchase of No. 2 heating oil without previous authority of law."

Which was read.

Also,

Bill No. 1107

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carus Chemical Company in the amount

of \$38,828.00 for emergency purchases of potassium permanganate without previous authority of law."

Which was read.

Also,

Bill No. 1108

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Puritan Paint & Oil Company in the amount of \$5,940.00 for the emergency purchase of paint without previous authority of law."

Which was read.

Also,

Bill No. 1109

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Central Nebraska Packing, Inc., in the amount of \$2,646.00 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none



And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1126

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Compad International Company, Inc., to provide classroom training and employment and training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

Mr. President, there is one bill, the Compad Bill, Bill 1126, that is for the training of guards? Is that correct? We got an accompanying letter with it, is that guards, does anybody know?

**Mr. Stone:**

No, that is for printers.

**Michelle Madoff:**

Printers? My question is, are these printers being trained by a company that is going to use the printers? Does anybody know, is Compad a company?

**Mr. Stone:**

They are going to take a good portion of them and they are going to see that the others get employed.

**Michelle Madoff:**

Allright, that is what I wanted to know.

**Mr. Stone:**

This is one of the most sensible bills that has ever come from that department.

**Michelle Madoff:**

The reason I am concerned is I remember the Turtle Creek bill that trained one hundred donut makers and 100 hairdressers and there were no jobs.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 1177 Report of the Committee on Public Works for June 25, 1980, transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 767

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six, Conduct, Article III, Dogs and Other Animals, Chapter 633, Dogs, by adding new definitions, changing license fees, and providing for licensing of cats." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. Robinson, I apologize for not being here on Wednesday, but I was on important business in Washington that concerns this City. On the second part, page two of your bill, the fees, it would be my impression that what we ought to do is raise the fees on dogs that are not neutered, perhaps waive the fees entirely on dogs that are neutered, perhaps in 10 and 5 scale and start a clinic that would very inexpensively neuter animals and make it accessible and easy to do. I heard a figure thrown around and I'm not sure what the figure was, but I think it was \$44,000 is what it cost the City right now to pick up the dogs?

**Mr. Stone:**

Four Hundred Thousand Dollars.

**Michelle Madoff:**

Four Hundred Thousand, excuse me, I left a little zero out of there. We've got so much money that it is costing us to do the job, and I heard from one of our own City employees that works for Council, that yesterday they were out shooting dogs because they were running as a pack in his area and I said, "Why didn't you call me at home? I have the number of the gentleman in charge of that department." And he said, "We took care of them, we went out and shot them."

**Mr. O'Malley:**

Who shot them?

**Michelle Madoff:**

I'm not going to say who it is, I'll tell you later. It is a staff member of Council. And I feel that this is a very serious problem and I think that perhaps we ought to address it by having neutering clinics and

change the scale and I would have to vote against the bill as it is presently drafted, but I support the concept completely.

**Mr. Coyne:**

Mr. President, I would like to move to recommit Bill No. 767.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

Bill No. 1059

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definition, and Chapter 503, Enforcement and Control."

Which was read.

**Michelle Madoff:**

On Bill No. 1059, I was not here on Wednesday unfortunately, did everybody here agree to the roots?

**Mr. Stone:**

As far as this particular situation is concerned, there is no choice under this particular circumstance today, he has to move the vehicles around and he is doing that and we indicated on Wednesday, you might bring those remarks up Mike, it is a reluctance in which we are doing this, and there is one particular area I was fully aware of, that was Carson Street on the South Side, Murray, I think it was, in Squirrel Hill, is that right Sophie.

**Michelle Madoff:**

Yes, I was going to say, you have Carson Street, I have Murray Avenue.

**Mr. Stone:**

And Second Avenue in Hazelwood.

Now there is a possible way out of that, that is the nine mile arterial which comes up by the slag dump, and I have asked the Director of the Planning Department as well as I will be working with SPRPC to see that that thing gets back on the drawing board. In fact, I think it is all done, all it needs is funding and we can get that and probably relieve those three areas, but under this particular bill, it is kind of with reluctance we do it, it is the lesser of evils now with the understanding that we try to relieve it.

MR. STONE'S REMARKS FROM  
THE MEETING OF  
WEDNESDAY, JUNE 25, 1980:  
(Bill No. 1059)

Mr. Stone:

I don't want to be redundant here, in the sense that we have covered this thing. Southside has put a lot of money in doing their area, Carson Street — that is kind of their focal point for their whole activity. The City of Pittsburgh has put a lot of money into it and now we are coming down and putting trucks in it. In a sense, we have divided the community. That's what happened to Second Avenue in Hazelwood, that is what is going to divide that area in Squirrel Hill.

I realize you have a problem, I don't know that there is an easy solution, I'll share that with you. Other than the one I've given to you now, it has been on the drawing boards for about 8 years and I don't know why we don't get to it, what is holding us back on that arterial?

Mr. Gaetano:

I can't answer that, I can find out for you, but I know we have looked into that and there have been many studies in that area and they have never been brought about.

Mr. Stone:

All right, who do you need to study that one?

Mr. Gaetano:

Well, I'll work with Mr. Lurcott and City Planning over there on that particular problem.

Mr. Stone:

Is Mr. Lurcott here?

Mr. Gaetano:

Yes.

Mr. Stone:

Bob, what is holding up the nine mile arterial? That was proposed in the Year 2000 Plan in 1972 by Bob Paternoster.

Mr. Lurcott:

We need Federal assistance in that area.

Mr. Stone:

Well, you line up the program and we will get you the money. There is no sense in destroying three communities because of a money for our road, it doesn't make sense. It is going to be more costly this way killing three neighborhoods, than it is to get a highway through. It just doesn't make sense.

Now, I hate to do this, but where we get a lag on these kind of projects, you will be in here every month to give me a report on it. I intend to see a nine mile arterial. Now, I want to say this in fairness, I want it done — and if it is some problem that is beyond you then you dis-close who the problem is. You need Allegheny County, you need SPRPC, you need federal monies, then you let us know. We are going to move the project, there is no sense in killing the Southside and Hazelwood and Squirrel Hill with trucks, while they lay at the end of Becks Run Road and come down there in the morning at 8:00 and conflict with the rest of the traffic. It doesn't make sense. It doesn't really.

Especially when we have a solution to it over a damn slag dump, in fact.

All right, every month — Mike, put it on the agenda and put it down on every Wednesday from here on out on the anniversary of the month.

Bob, you check with SPRPC and if we need the County check with their Planning Division and let me know within one week what you have come up with as far as its present status, all right?

I hope that you are getting an indication that I will not tolerate any foolishness on this road.

Bill, I have a problem, I don't know just quite how to handle this with this truck thing. Maybe we ought to just pass it for now and amend it, is about the best way to — I don't know that you have an alternative, do you?

**Mr. Lurcott:**

No.

**Mr. Stone:**

It just bothers me to vote for it, I am doing it with reluctance here at any rate.

For the record, so it is clear, it is with reluctance that I am giving an approval on this but it is the lesser of evils at this moment, with the understanding that we are going to do something to try to relieve those three affected areas and any others that we can.

End of Mr. Stone's Remarks on Bill No. 1059, 6/25/80.

**The Chair:**

Some time ago they were re-routing traffic on Beechwood Boulevard, Carson Street and Second Avenue and they had meetings in the area to try and alleviate the problem and the main concern was how the residents stood on the truck route.

**Mr. Stone:**

Well, if they can get the vehicles from the mill up the hill to the other side of the Squirrel Hill Tunnels, then Second Avenue is relieved, Murray Avenue is relieved and Carson Street on the Southside. What they do is come across the bridge, lay there at the end of Becks Run Road and then come down in the morning.

**The Chair:**

We discussed this with the members.

**Mr. Stone:**

It's a case of he's damned if he does and damned if he doesn't.

**Michelle Madoff:**

I'm not through, I'm a little bit confused. How do we do this — as I am saying, we have to accept it, when we don't have any choice because that is just the way it is going to be. My concerns are not so much the fact that the traffic will be Murray Avenue from Forward to Forbes, that I am not thrilled about, but the plan that you talk about Mr. Stone, I was involved with the citizens who live in those homes on upper Beechwood Boulevard where they stop traffic from four to six, at, at least three public hearings with Congressman Moorhead being present, starting as early as 1970. There is just nothing that is going to move PennDOT except some dynamite up their proverbials, and obviously we are going to have to do something very meaningful to get them to move. We can say it is on the board and it is there, but nothing is going to happen and we need a bartering — some kind of barter to get this through. Now, one of the suggestions that was made, and I spoke to Superintendent Coll, I believe it was Coll. Between 4:00 and 6:00 when they shut the entrance off at upper Beechwood, where the trucks go — do you know where I am talking about where you go onto the Parkway, they shut it off from 4:00 to 6:00 are you aware of that? That is where the trucks

idle for blocks. The houses are no further than from where our President is standing to the end of this table, and what we have to do is have a policeman there everyday from 4:00 to 6:00 seeing that those trucks do not idle for two hours, because if they don't I'm going to have the Board of Health, GSPH, Graduate School of Public Health, do some monitor readings and I tell you they are in gross violations of public health and they are imminent health hazards and that is going to force PennDOT to move. Now, I don't know what else we can do in this Council, but I just don't see how we can move on this without those two contingencies considered. Can we make this an addition or an amendment to this bill?

**Mr. Stone:**

No, I think you missed what we are trying to say here. Right now, he has to move the trucks somewhere because he can't do it as he did it before, otherwise they come through the main part of the City and that is why we had that unfortunate situation in front of Liberty Avenue there. So what we are doing here is passing it and then trying to make as many amendments as we can to try to improve it. It's the only way you can do it at this time.

**Michelle Madoff:**

What I am asking is why can't we put an amendment in right now that a policeman will be assigned every day from 4:00 to 6:00 at that entrance to the ramp so that the trucks will not have bad hydrocarbons coming out for two solid hours contaminating the neighborhood. There is no reason we can't make that a contingency part of this bill.

**Mr. Stone:**

I don't see that — I don't think you can legislate rules and regulations.

**Michelle Madoff:**

Well, how would you suggest we handle it?

**Mr. Stone:**

I'd suggest that we pass it this way and then request that the Director do something about solving that other problem and if not then we can indicate that trucks can't lay there.

**Michelle Madoff:**

We've already done that for 10 years. It's a little late in the day to handle it that way.

**Mr. Stone:**

I suggested this bill but we haven't passed it yet.

**Michelle Madoff:**

Then why don't we put that amendment on, we'll pass it with the contingency that the Mayor and the Administration will provide a policeman from 4:00 to 6:00 at that ramp so those people won't be poisoned, their children won't be poisoned — I make that as a motion, that we add on to the bill that a policeman be assigned from 4:00 to 6:00 at that entrance to the ramp at upper Beechwood Boulevard. Hopefully that will spur PennDOT to open up the route they have talked about for 15 years, this goes around the slag dump.

**Mr. Flaherty** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

**Mr. Givens:**

Could you explain a little bit to me? They are not opening the ramp up, or —

**Michelle Madoff:**

No, they close the ramp from 4:00 to 6:00 and the trucks idle, and the houses happen to be very close to the street and there are hundreds of trucks with their motors running and these kids are breath-

ing hydrocarbons which are carcinogenic when they mix with particles of the dirt.

**Mr. Givens:**

Well, what I don't know Mr. President is what impact it is going to have if they open that throughway —

**Michelle Madoff:**

You can't open it, I'm just saying that when it is shut from 4:00 to 6:00 that there be a policeman there so the trucks don't idle there, that they turn off their motors.

**Mrs. Masloff:**

Now wait a minute, I live right there at that spot, there is no room for hundreds of trucks, if there are two or three at one time that is a lot.

**Michelle Madoff:**

I'll make you a hundred dollar bet right now that you get 50 trucks there on a busy day, any day, do you want to make a bet?

**Mrs. Masloff:**

Okay.

**Michelle Madoff:**

I've counted them, and those neighbors are up in arms and they are selling their houses.

**The Chair:**

The Parliamentarian is saying that any amendment to a bill shall be put in print for Council before the final passage.

**Mr. Stone:**

I'm afraid I have to differ with that.

**Michelle Madoff:**

I didn't hear it, I can't differ with it.

**The Chair:**

He is saying you can't make that amendment unless you have it in writing before the meeting.

**Mr. Stone:**

No, I don't agree with that.

**Mr. Givens:**

I don't either.

**Mr. Stone:**

We've amended bills before. I like to keep the rules the same all the time, we don't change them everyday.

**Michelle Madoff:**

Those people on upper Beechwood Boulevard will be thrilled to know how we vote.

**Mr. Stone:**

I think you are choosing the wrong method here.

**Michelle Madoff:**

I think it has to be done because I have worked with it for 10 years Mr. Stone, I have had the Congressmen work with it for 10 years and the Senators worked with it, SPRPC worked with it and GASP and nothing has happened in 10 years. We have an opportunity to do something, are we going to miss the opportunity?

**Mr. Stone:**

Well, I'm saying you are doing it the wrong way.

**Michelle Madoff:**

I always do it the wrong way but I try hard.

**Mr. Stone:**

Well, if you'd learn to appreciate things it would help. You are saying, but if you only learned to understand what you are saying —

**Michelle Madoff:**

I understand what I am saying fully well, if you really care about it, there is no reason, as you said yourself, we can't amend the bill. If I am not wording it the way you like it I am open, I am not married to my words, you may reword it for me.

**Mr. Coyne:**

Mr. President, as I understand the amendment is to place a policeman at the location where the trucks assemble every afternoon —

**Michelle Madoff:**

4:00 to 6:00.

**Mr. Coyne:**

There is no way that we can amend this bill to direct the Administration to put a policeman at that location.

**Mr. Stone:**

Exact point.

**Michelle Madoff:**

Why not?

**Mr. Givens:**

That is an Administrative process.

**Mr. Stone:**

Call for the vote.

**Michelle Madoff:**

I didn't get an answer to my question, why can't we put that as an amendment?

Could I get the Parliamentarian to explain why we can't?

**Parliamentarian:**

As I said to the Council President, the Rules of Council provide that any amendment to the resolution should be placed in writing before the session. Council is free to waive its own Rule 8 if it sees fit.

**Michelle Madoff:**

The question I asked now is the second question. Can we not ask, or make it part of a bill, that a policeman will be at that corner from 4:00 to 6:00 to protect public health, or do we have to do it by lawsuit and by having the Board of Health and monitoring and taking of that high pollution readings at that point that are about 100 times the normal factor.

The point is, can we or can we not mandate that the Mayor have a policeman there, do you know that off hand?

**Parliamentarian:**

The Solicitor would have to answer that.

**Michelle Madoff:**

Are you suggesting Mr. Stone, that I do that as a separate amendment or a resolution at a separate time?

**Mr. Stone:**

Apparently, I am trying to give you some remarks of wisdom but they are going over you so I am leaving it alone.

**Michelle Madoff:**

Oh, King Solomon has spoken. I'm leaving the motion because I think it is important that the public know that we care about them.

**Mr. Stone:**

Point of order, let's call for the vote.

**The Chair:**

I called for it 15 minutes ago. Mr. Givens and Michelle haven't straightened things out.

**Mr. Givens:**

No, I just needed a point of information and I think that is proper. I'm going to vote yes for the amendment for the reason that I think there is a health hazard there apparently, and I would like something to be done by the Administration. I know we cannot direct the Administration to put a police officer out there, that is the prerogative of the Mayor and not this Council, but I would hope some corrective action would be taken. So for that reason I am voting yes.

**Mrs. Masloff:**

I am voting yes, but I think we ought to move on the suggestion that Mr. Stone made at the Wednesday meeting. That would be a solution and I think we ought to move on that immediately, and I would like Mr. Stone's remarks of Wednesday to be included in today's session.

**The Chair:**

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mrs. Masloff</b>
<b>Mr. Givens</b>	<b>Mr. O'Malley</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	(Pres't)

Ayes 6    Noes 3

(MR. COYNE, MR. ROBINSON AND  
MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the amendment was approved.

**Mr. Stone:**

Mr. President, if I may just for a moment, when you attempt to do what you are doing now, you end out with an asinine result. All that needs to happen is that we have just said specifically you don't let trucks park at a particular spot, so what you do is move it back one block and you don't have that particular problem. Now that can do indirectly what you didn't want directly. I think it needs a little more sense than has been attempted here, but if we want to operate that way, then go ahead.

**Michelle Madoff:**

Mr. President, we are now voting on the bill as amended?

**The Chair:**

Yes, is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
<b>Michelle Madoff</b>	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff:**

Mr. President, one comment, I think Mr. Givens hit it right on the head, by



passing the motion, even if it is not legally valid, what we have done with the Mayor, is if he vetos it, he at least may be put in the position of having to put a policeman there to control that problem. Thank you Mr. Givens.

**Mr. Stone:**

With a great deal of reluctance, in view of the asinine amendment, I approved.

**Michelle Madoff:**

Mr. President never votes for anything asinine.

**Mr. Robinson presented**

No. 1178 Report of the Committee on Planning, Housing and Development for June 25, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1040

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to construct a Four-Story and Basement Institutional Facility (Housing and Nursing Care for the Elderly) containing 180 beds with outside parking for 107 cars to Lemington Home for the Aged. The property is Lemington Home for the Aged. The property is zoned 'I-M' Institutional-Medical District and has 265 feet of frontage along the northerly side of LINCOLN AVENUE between CAMPANIA AVENUE AND ROSS GARDEN ROAD 12th Ward."

Which was read.

Also,

Bill No. 1068

A Resolution entitled, "Resolution amend-

ing Resolution 463 approved May 29, 1980 entitled, 'A Resolution providing for a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof.' by increasing the amount of the agreement."

Which was read.

**Michelle Madoff:**

Mr. Robinson, could you help me on one item on Bill No. 1070, last page, page seven I think it is, it is again, City Council, Unspecified Option, that is \$2 Million?

What have we got left in there, do you have any idea?

**Mr. Robinson:**

Mr. Albert is not here, he could get the figures, I haven't the slightest idea.

**Michelle Madoff:**

Well, it doesn't really matter, the reason I am asking the question, I felt obliged since I took time and charged the City for my expenses, to give Council a report on my trip to Washington on Allegheny Steam Heat. Council will be getting a report, it is being typed up, reviewed, corrected and typed up today. But somewhere along the line it may get to the point where Council is going to have to pick up the marbles, or suggest picking up the marbles because the Administration has flatly refused to do so at this point and I am just wondering, amongst these dollars, if there might be, because we are talking about \$3½ million in total, and a million and a half from UDAG, whether there might be some dollars and I would like at some point to discuss it with you and the Finance Chairman. Once you get the report perhaps you might have some ideas, or other members of Council, I would appreciate any input and I think the Conference would like to meet with

anybody that has any ideas, I don't feel that I have a proprietary interest in something as vital as that issue.

Also,

Bill No. 1070

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as amended by Resolution No. 504 of 1980, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to amend the title of line item HD-80-14 to read 'Demolition of Condemned Buildings including Site Restoration and Boarding Up'."

Which was read.

Also

Bill No. 1071

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Leona L. Twyman for the sale of Parcel B-46a in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 1072

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jimmy Stallworth for the sale of Parcel 120 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Also,

Bill No. 1073

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alice Baker for the sale of Parcel 62 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 1074

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John J. Sparrow and Josephine M. Sparrow for the sale of Parcel 227a in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1075

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William E. Brewton and Marlena L. Brewton for the sale of Parcel 215 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1076

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Richard

G. Moye for the sale of Parcel 91 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 1077

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Freddie L. Ralston for the sale of Parcel 9 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 1078

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Sanford C. Aderson for the sale of Parcel 22R in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1079

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Colman Mulkerrins for the sale of Parcel 36 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1080

A Resolution entitled, "Resolution approv-

ing a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James N. Williams and Doris C. Williams for the sale of Parcels 173A, 173B, and 174A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1081

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert L. Culligan for the sale of Parcel 244G in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1082

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William M. Foley and Hilda E. Foley for the sale of Parcel 30B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1083

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William Massucci and David M. Massucci for the sale of Parcel 231 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1084

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William H. Bailey for the sale of Parcel 238A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. Robinson, the Mayor came to the meeting this morning and had made some statement or reference to a statement about holding some bills back. I didn't quite understand what he was talking about, could you clarify that?

**Mr. Robinson:**

I wasn't at the meeting so I don't know what he meant either.

**Michelle Madoff:**

Was there something about a memo that you sent out? I did not get a copy of the memo.

**Mr. Robinson:**

I don't know, I haven't talked to the Mayor.

**Michelle Madoff:**

Well, is there a memo that you sent out about not having some bills presented, did you want to hold some bills?

**Mr. Robinson:**

I didn't say anything to the Mayor.

I sent a letter to the Mayor a few weeks ago.

**Michelle Madoff:**

Was that a letter to the Mayor only, not to Council?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

Oh, because the letter was read and nobody got copies and I thought I had misplaced my memo. I was just unclear on that.

**Mr. Stone:**

What bill are we talking about?

**Michelle Madoff:**

A number of us were at the Mayor's meeting, perhaps somebody else —

**Mr. Stone:**

My question is what bill are we talking about?

**Michelle Madoff:**

He didn't say, I asked him the same question, I said what is it in particular that you are objecting to? And he said just in general he wants the bills and I am not clear on what he was talking about.

**Mr. Stone:**

If that is not on any bill here, let's move the bills.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 1179 Report of the Committee on Supplies for June 25, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1062

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various office equipment (tables, chairs, etc.) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1063

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office equipment (desks, storage cabinets, etc.) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1064

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of ping pong tables and pool tables for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1065

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various fire equipment (fog tips, nozzles, etc.) for the Department of Fire, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Is it possible for a private citizen to donate an item that is being purchased if it is in top notch condition, without receiving any cash? I have a ping pong table that was purchased sitting in my garage, it is the best kind you can get, it is just sitting there, nobody is using it?

**Mr. Stone:**

See the Director, if they can use it.

**Michelle Madoff:**

Would that change the figures any? If they were buying five and only needed four? Or wouldn't that matter?

**Mr. Stone:**

If you have a ping pong table they may not need another one.

**Mr. Stone:**

Mr. President, I would like my remarks from the Wednesdays meeting incorporated into the minutes of this meeting.

**MR. STONE'S REMARKS FROM  
THE MEETING OF WEDNESDAY,  
JUNE 25, 1980: (Bill No. 1114)**

**Mr. Stone:**

Members of Council, I would strongly urge that we approve this matter, this is relative to the Rebekkah House, before we leave it as it is right now and end out with needing a roof on top of a roof. I will entertain a motion to approve and Sophie has made that.

Louise — Mike, put her on the agenda every two weeks relative to Rebekkah building, we'll take no excuses Louise, you have run out of excuses with me on Rebekkah House as far as I am concerned, you have been totally less than progressive and expeditious on Rebekkah House. You have denied those senior citizens what they deserved for a long time and you are beginning to alienate the good feelings of this Council. Every two weeks you be here and get Rebekkah House moving, I'm sick and tired of your excuses on this project.

Every two weeks, Mike, put it down, and send her a letter so that she knows, and anything you do for me you will put in writing too. If you want to play that game that you will be nice and do nothing, then we are going to play it my way and see that you move. I know now how to make you move which you haven't done before. Your Department, over the last seven years, has had the lowest performance level of any department here. You have asked for more money than any department here, you have ended out with a surplus of three quarters of a million dollars in every year. How long do you think you are going to fool the people of the City of Pittsburgh? The time is in, your act is over.

End of Mr. Stone's remarks on Bill No. 1114, 66/25/80.

**Michelle Madoff:**

Would that change the dollar figure on the bill, or just give it to them and they could use it somewhere, for senior citizens or someone?

**Mr. Stone:**

If they get the ping pong table they will still need the authorization.

**Mr. Givens:**

Just call Louise Brown and she might be able to tell you where to take it to.

**Michelle Madoff:**

If they pick it up, you can have it, I'm not lugging it in.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

No. 1180 Report of the Committee on Parks and Recreation for June 25, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1114

A Resolution entitled, "Resolution amending Resolution No. 207, effective April 4, 1980, entitled 'Providing for a lease agreement or agreements with the Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovation of the facility for payment of the cost thereof; and amending Resolution No. 1495 of 1978' by increasing the amount authorized."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 1181 Report of the Committee on Public Safety for June 25, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1116

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Citizens-Police Partnership Against Crime Program (CPPACP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Citizens-Police Partnership Against Crime Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; and providing for the deposit of the funds in a bank account; providing for an agreement or agreements with the Neighborhood Centers Association to implement said Program and providing for the payment of the cost thereof."

Which was read.

**Mr. O'Malley:**

I move to recommit Bill No. 1116.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

I would like to have Mr. Perry set a hearing date, I have a petition for a hearing.

Also,

Bill No. 1117

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Police-Community Broker Program (P-CBP);

providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Police-Community Broker Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the program; providing for the deposit of the funds in a bank account; providing for an Agreement or Agreements with the Communities Combating Crime to implement said Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1118

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Pittsburgh Alliance for Safer Neighborhoods Program (PASNP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Pittsburgh Alliance for Safer Neighborhoods Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; providing for the deposit of the funds in a bank account; providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance to implement said program and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Mr. Flaherty presented

Bill No. 1182

WHEREAS, Bill 979 has been passed by Pittsburgh City Council on June 16, 1980. Said bill banned discrimination based on race, color, religion, ancestry, national origin, place of birth, sex, by private clubs that receive at least 20% of their income from corporation memberships; and

WHEREAS, said bill was vetoed by Mayor Richard S. Caliguiri on June 23, 1980 and Council sustained his veto on June 30, 1980; and

WHEREAS, discrimination in any form and by any party fosters inequities and injustices that result in tensions in a free society that are harmful and intolerable; and

WHEREAS, the City of Pittsburgh as a Home Rule Charter community is bound by the limitations in 553 P.S. 301.1, that prohibit it from acting in an area that is already governed by an act of the State Legislature that is applied uniformly statewide;

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh urges the House and the Senate of the Commonwealth of Pennsylvania to consider amending the State Human Relations Act to ban discrimination



in private clubs that receive at least 20% of their revenue from corporations.

Which was read.

**Mr. Flaherty** moved for adoption.

**Michelle Madoff** seconded the motion.

**Mr. Stone:**

Mr. President, if I may, I would hope that we haven't forgotten part of the preamble here, because it ties back into what seems to be, if I recall correctly, the Human Relations Commission had indicated there were some legal problems. The City Solicitor of the City of Pittsburgh has indicated there are some legal problems, and I don't know who requested it but we now have one from McMillan who has also indicated that we have problems with this particular ordinance. They are pointing out in classification which heretofore was not very cogently brought forth, and that is, this classification is not a proper classification which leads me to believe that this thing might get out of hand and while we attempt to get at one particular unit, we now lead into all those other social clubs that we have within the State of Pennsylvania. I hope that that wasn't the original intent of the maker of the original motion.

Nevertheless, I foresee that that is a possibility that will be expanded from something large. In view of that, while I obviously am not looking for any discrimination, I am not looking to have some 98% of the people suffer because of something that occupies less than 2%. I would hope that we didn't have that preamble to it, so that we'd go without it, but taking the preamble to it, it is quite obvious that you are telegraphing why we are doing it and that we have indicated against whom we intend it and as a result of that I think that it's been hit three times by legal sources that this is not a proper classification. Three out of three is not a bad average to start getting around to opening up your files, that maybe there is a legal problem

there. It is with reluctance that in view of this I am going to have to vote against it.

**Mr. Robinson:**

I have some concerns, not only about this resolution but about the original piece of legislation and those concerns stem from the fact that the arbitrary figure of 20% was utilized to determine at what point the club becomes private.

I think the issue of discrimination, whether it be sexual or racial, in clubs and organizations in the Commonwealth of Pennsylvania has been the subject of much debate in some corporate litigation. I would have to support the notion in that not only should we not sanction by any government action, discrimination racially or sexually, but that we should apply any admonitions involved, any laws or resolutions across the board, and unless all the private clubs and organizations in the Commonwealth of Pennsylvania are affected by our actions or by an action of the Commonwealth, I don't think it would be appropriate for us to single out certain types of private clubs and let others go free on what happens to be a technicality. It would seem to me that if any portion of the person's membership is paid by corporations, that certainly that is just as justifiable as 20%. It would also seem to me that those clubs that do offer open memberships, but restrict it by race or sex are indeed public because they are open to the public, they are using public licenses and therefore also should be prohibited. In lieu of the State Human Relations Commission Act and the power that was given to the State Human Relations Commission, I think it would be inappropriate for us to pass this resolution. I think there are appropriate bodies to address this question. It must be addressed from the standpoint of all — all of the clubs that serve the public or have any kind of public license.

**Mr. Flaherty:**

Councilman Stone, is it my understanding that you wanted to add a preamble to this resolution?

**Mr. Stone:**

No, if you would have left everything out about the prior bill and about the Mayor vetoing it. It is quite obvious by now that this was intended for at least one club if nothing else and now when you put the rest of this in, I think what we end out doing is saying we are leaving what I think now is going to be a greater fear. We are going to have others suffer because of one particular act of prevention of discrimination. If you'd have left all of that out and gone to the last part and say that we don't want any discrimination in private clubs, that is a different deal.

**Mr. Flaherty:**

Yes, well, I feel that is the key to the whole argument, I am not aware of a legal precedent or statute that you can open all private clubs up. I am saying that as far as Mead Mulvihill's opinion — and I would also like to address myself to the opinion from the Council for the Human Relations Commission, he did not state any statutes or case law in his opinion and he did not refer to the question as far as the Home Rule Charter goes. As I said earlier, when I moved to sustain the Mayor's veto, I feel that arguments regarding the First Amendment, which is Right of Free Association and the Fourth Amendment, which is Right of Privacy, are certainly arbitrary and I stated landmark cases in regard to those two amendments that were eventually enacted by the U.S. Supreme Court. I feel that the only solid argument that I have seen was the one put forth by Mead Mulvihill that we would simply be superceding the State Human Relations Commission and this amendment simply just urges the General Assembly to consider amending that Act as to defining what is distinctly private. I am maintaining that 20% is certainly an arbitrary figure, but nonetheless, these corporations are owned by the public through shares, and secondly and more importantly, from information that I have received in private phone conversations, there are companies that are taking tax write-offs, so in essence it is the public that

is paying to send these executives to clubs that acquiesce in discrimination. This is not to mention, I believe that we are on a trend — I mean, a wave of the future. The U.S. Department of Labor in a few weeks is going to promulgate that any corporations that acquiesce to discrimination by sending their members to clubs that discriminate against women and minorities will not receive any federal contracts. I feel that the constitutional questions are arbitrary and should be tested in court, but I do agree that the only way that it could possibly get to court is for the State Human Relations Act to be amended and I am asking my colleagues to at least give it its day in court and it is up to the State General Assembly if they wish to tackle this issue.

**Mr. Stone:**

Tom, if you are accepting Mead Mulvihill's opinion, then why don't you accept on page two of it paragraphs two and three where he tells you it is a bad classification.

**Mr. Flaherty:**

Well, that is up to the courts to decide. When you talk about —

**Mr. Stone:**

Yes, but you are saying that you agree with his opinion —

**Mr. Flaherty:**

No, no — no, no. I said I just agree — I am saying that his two arguments in regard to Right of Free Association and Right of Privacy are arbitrary. I think they can be argued pro and con. The only part of his —

**Mr. Stone:**

As a civilian or a lawyer?

**Mr. Flaherty:**

Well, that is what my counsel tells me. But I feel strongly —

**Mr. Stone:**

You have had three lawyers give you legal opinions.

**Mr. Flaherty:**

No, I've only had —

**Mr. Stone:**

You had one from Civil Service, right?

**Mr. Flaherty:**

No.

**Mr. Stone:**

What was the one you had here last week?

**Mr. Flaherty:**

There have been two opinions and I am saying that one —

**Mr. Stone:**

Where is McMullen from?

**Mr. Flaherty:**

He is counsel for the City Human Relations Commission Bob.

**Mr. Stone:**

Who is McCrory?

**Mr. Flaherty:**

She was my counsel, she drew the bill up, she helped me in the drafting of the bill —

**Mr. Stone:**

I don't know her and I don't know if she knows about ordinances. I don't even know her or know if she specializes in it.

**Mr. Flaherty:**

Well Bob, you are an attorney okay, and you have the opinion there from Tom McMullen, and you can see for yourself, he does not address the Home Rule Charter question, nor does he cite statute or case history. I am saying the only —

**Mr. Stone:**

I thought McMullen had given it to you very clearly. He is telling you the danger of it lies down the line. Classification is no good and what you are going to do is end out doing it against everybody. You said last Wednesday and Monday that you didn't want to go to the other clubs, that was not your purpose nor intent.

**Mr. Flaherty:**

Yes.

**Mr. Stone:**

Now if you want to hold back, you want to watch. What you are doing right here is, in order to get at Duquesne Club, you are going to get everybody. Now the question is —

**Mr. Flaherty:**

No, —

**Mr. Stone:**

Now if you want the Elks, if you want the Moose, if you want the American Legion, if you want the —

**Mr. Flaherty:**

You are saying that Bob.

**Mr. Stone:**

Well, that is what he is telling you — you missed the whole —

**Mr. Flaherty:**

No —

**Michelle Madoff:**

That is what you said.

**Mr. Stone:**

That is what McMullen said.

**Mr. Flaherty:**

All I am asking is that the State define what is distinctly private. I mean it is as simple as that. I'm not afraid of this issue going into court. Women are voting today and blacks are voting without strings because people took these issues to court at one time, the court of the land. Interpretations of the Constitution said that women and blacks couldn't vote. The court of the land one time said that education had to be equal but separate, up to 1954, now that is how the laws are changed in this country, in this state, and I feel that it is an issue that is deserving of a day in court and I am just asking that the State General Assembly study this technical issue of perhaps amending the State Human Relations Act.

**Michelle Madoff:**

Mr. Flaherty, would it be correct to interpret what you are saying, that you have no intention whatsoever of affecting private clubs whether they be Jewish, Serbian, Mohammedans or what have you, people who wish to gather together, providing those clubs are not paid for by corporations.

**Mr. Flaherty:**

Yes.

**Michelle Madoff:**

It is not your intention to interfere with people of any group who wish to get together whether they are the Frogs who have marvelous bands and I haven't been invited to their affairs, and who are of the black persuasion, but merely perhaps re-naming, and perhaps maybe getting somebody to sit down with you to somehow

draft a companion letter that says, "this entity", let's not even call it a private club, but an entity that is paid for by the public, with public funds, should be open. It has nothing to do with the Moose or the Lions or whatever private club.

**Mr. O'Malley:**

I tend to disagree with you on this.

**The Chair:**

How are we going to be made aware of the organizations or corporations such as the ones that you had mentioned? Are you listing specific organizations?

**Mr. Flaherty:**

No, I think that is up to the courts Mr. President.

**Michelle Madoff:**

I think that is unfortunate that the issue has become the Duquesne Club, I don't think that is the issue, is that correct?

**Mr. Flaherty:**

No, that is not the issue, the issue is not the Duquesne Club, there are quite a few clubs that are here in the City and there are ten times more probably, in the County. God knows how many in the State.

Perhaps it will suffice a lot more if the State does address itself to this issue. But there is a further distinction between Moose and Elks and ISDA and AOH and what have you, and exclusive clubs. The Moose, the ISDA, they are social clubs where people go to have a drink, to watch a floor show, they are there for entertainment, social reasons. Exclusive clubs, the members there usually indulge in contacts where they can meet people, promote their companies more, promote their ideologies more, they are the market place of our society to a certain degree and what we are doing is not even making an effort to

allow the majority of our population to gain admittance to those clubs.

If we don't start here, then I would like someone to tell me where we do start. If we are afraid of opening up a can of worms, then we open up a can of worms, but that is no reason, I think, to always cringe from addressing ourselves that is real and I think absurd in this day and age.

**The Chair:**

I know there are certain nationality groups that allow members but don't allow their spouses if they are a different nationality or race. I know one of the members of a certain organization was married to a black person and he couldn't join the club even as an honorary member even though he was willing to pay dues.

**Mr. Flaherty:**

Well, all I am saying Mr. President, is let the courts decide.

**Mr. O'Malley:**

I have a question for Mr. Flaherty, Tom, are you saying 20% are from corporations. What would decipher that from being different than American Legions and the Elks that might derive 20% of their income from bingos, from outside weddings, from banquets, from the general public? I mean we can say 20% from corporations, and we can say any American Legion has derived 20% of their income also falls into this category. I think it is the same similarity.

**Mr. Flaherty:**

No, I think you can make a distinction.

**Mr. O'Malley:**

Not really.

**Mr. Robinson:**

Mr. President, as someone who belongs to one of these groups exposed to the effects of all this action going on here in this Council relative to this legislation, I might speak as somewhat of an expert.

It would seem to me, and let me only speak to those people who have been identified as black. It would seem to me that the majority of black people are not going to be affected by anything that is done to regulate any private clubs, because most of us cannot afford to join even if they threw open the doors and brought down the racial barrier. That is a fact, myself included. I am not going to pay \$4,000 to join the Duquesne Club, I'm not going to pay \$4,000 to join anything. Okay, the vast majority of black people are more than likely going to join the Moose or the Elks or some other club where economically they would fit in. Those are the clubs, in many instances, that very specifically, very specifically indicate that persons who look like me are not eligible to be members and that is why a great deal of difficulty was this whole effort to address the issues of private clubs and the impact on people who look like me. Even if it is passed, it doesn't affect me, it will affect a very small percentage of people in the so-called black community. The majority of people, this has no impact on their life whatsoever.

**Mr. Flaherty:**

Mr. President, Bill hit the crux of the problem. The reason why, I presume he is saying that there are not many blacks in a position to join the Duquesne Club is because they have been systematically discriminated against. They haven't made the contacts in the business world.

**Mr. Robinson:**

No, they don't have the money — it's money Mr. Flaherty. It's money, it has nothing to do with discrimination based on sex or race, it's the money.

**Mr. Flaherty:**

Yes, but I am saying you get money through contacts in these clubs, I mean you improve your standards, as long as they keep blacks out of the clubs, then they are keeping down — they are keeping blacks out of the corporate elite of this City and for the same reason — sure there were no blacks in the big leagues before Jackie Robinson broke in. I think you have to have a breakthrough you know, and I feel that the reason why a black may not be in a position now to join is because they have been discriminated against and they will continue to be discriminated against.

**Mr. Robinson:**

I am more concerned about the job opportunities the people the Duquesne Club or any of these other clubs you mentioned, might afford the people who look like me than I am about the few people who look like me joining one of those clubs to socialize. I mean, I am just being very practical and realistic. If we are talking about the vast majority and what is good for the majority, it seems to me that this is not going to help the majority of the people who look like me. It is going to help a very small minority who can hob knob, who can afford to participate but who certainly no way are reflective of the overall population.

**Mr. Flaherty:**

Well Bill, I say that certainly now, it isn't going to hurt you, and in the future, I think it will help you.

**Mr. Robinson:**

That is like a glass of water — you know, a glass of water is not going to hurt me, fine, that doesn't mean I should have a glass of water sitting in front of me. Everytime something comes up that is supposed to help black people, it's as though if you are black you are supposed to be for it and I am saying to you, as someone

who is black, this is nonsense, this is not going to help the vast majority of black people. It is going to help a small percentage — God bless them, power to them, but the vast majority of black people are affected by those clubs that very specifically say that people like me cannot belong.

**Michelle Madoff:**

Mr. Robinson, have you ever introduced legislation, or thought, or has anybody introduced legislation to deal with exactly the problem that you talk about? And perhaps the most glaring example is the time that K. Leroy Irvis was in Harrisburg and couldn't get admission to the Moose which is the only place open to eat on a Sunday night and I think we all know that story very well, that was a disgrace. Maybe what we need is two bills. I mean I think we are talking apples and oranges here in a sense, and yet they are both the same thing.

**Mr. Stone:**

Move the question.

**Mr. Givens:**

I am going to vote aye in this verbal exchange of dialogue here, but at the same time, when a hearing was being denied of people when life of a person is at stake, but I vote aye for this bill because I feel it is a resolution, it is going to the State House, and as Mr. Flaherty has indicated, it is up to the State Legislative body to dig into this, I think the cause is right, it is a just cause, and I think he is trying to do something to stop something which has been done in the past and for that reason I will vote aye.

**Mr. O'Malley:**

I am voting no, and I would like to say that I personally feel the resolution violates the rights of privacy and association granted by the First Amendment of the Constitution.

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**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Givens</b>
<b>Mr. Flaherty</b>	<b>Michelle Madoff</b>

**Noes:**

<b>Mrs. Masloff</b>	<b>Mr. O'Malley</b>
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<b>Mr. Robinson</b>	<b>Mr. DePasquale</b>
<b>Mr. Stone</b>	<b>(Pres't)</b>

Ayes 4    Noes 5

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

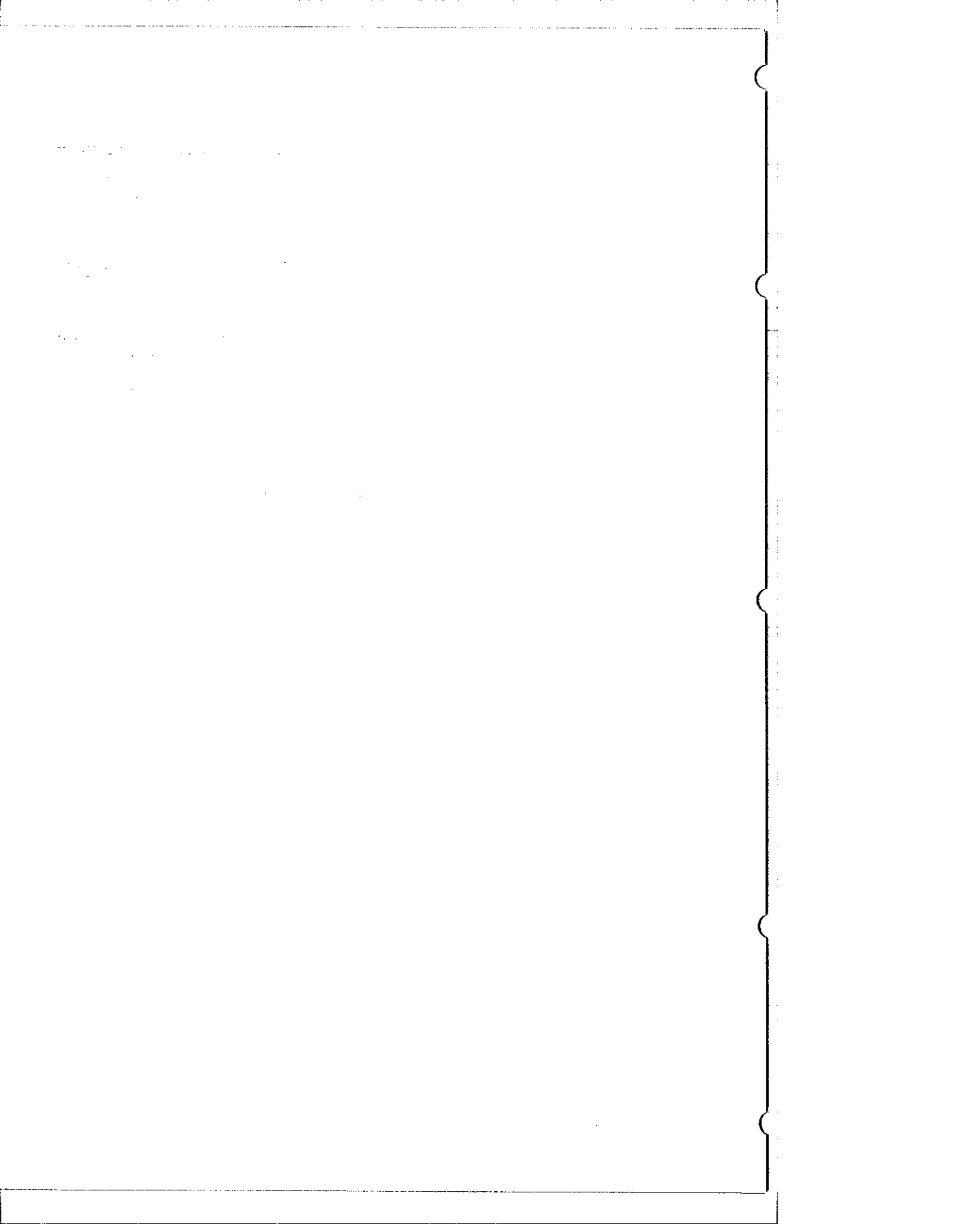
**Mr. O'Malley** moved to approve the minutes of Monday, June 16, 1980.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**,

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, July 7, 1980

No. 27

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, July 7, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1183 An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definitions, and Chapter 503, Enforcement

and Control, by prohibiting the operation of certain vehicles except on a designated truck route, as defined.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1184 Resolution vacating a portion of LaMarido Street from Elmbank Street to a point 200'± west of Elmbank Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 1185 Resolution granting unto J. J. Gumberg Co., Third Avenue, its successors and assigns, is hereby given the right, privilege and authority to construct, maintain and use at its own expense a pedestrian tunnel under the northeast sidewalk connecting the Magee Building and the Commonwealth Annex, the area in Third Avenue near Smithfield Street.

Also,

No. 1186 Resolution further amending

Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, as amended by Resolution No. 622, approved July 6, 1979, effective July 10, 1979, entitled, "Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith, creating Capital Funds, transferring Bond Funds to said Capital Funds," by changing the title, Freeport Road; Turnlane to read Improvement to Chestnut Street Intersection.

Also,

No. 1187 Resolution amending Resolution No. 316, approved April 18, 1980, effective April 25, 1980, entitled, "A Resolution providing for a contract or contracts for improvements to the Chestnut Street Intersection, (PW 80-23), and providing for the payment of costs thereof", by redefining funding sources.

Also,

No. 1188 Resolution amending Resolution No. 311, approved April 18, 1980, effective April 25, 1980, entitled, "A Resolution providing for an Agreement or Agreements with Mackin Engineering Company for Consultant Services in connection with Design of the Spahr Street Pedestrian Bridge (79-16); and providing for the payment of costs thereof", by redefining funding sources.

Also,

No. 1189 Resolution amending Ordinance No. 212, approved April 30, 1973, as amended by Resolution No. 437, effective May 27, 1980, entitled, "An Ordinance providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for the improvement and construction of Legislative Route 257, Section 27T (Intersection of Steuben Street, Ingram Avenue and Woodmere Drive); Legislative Route 246, Section 37T and Legislative Route 76, Section 43T (TOPICS), and providing for the payment thereof; also, authorizing an agreement between the Commonwealth of Pennsylvania and the City of

Pittsburgh for the credit to the City of Pittsburgh of Three Thousand Nine Hundred Sixty One Dollars and Sixty Four Cents (\$3,961.64), which represents expenditure by the City of Pittsburgh for the purchase and storage of traffic and signal equipment to be used within the limits of the project", by correcting the project allocation to read Sixteen Thousand Twenty Seven Dollars and Seventy Two Cents (\$16,027.72).

Also,

No. 1190 Resolution amending Resolution No. 318, approved April 18, 1980, effective April 25, 1980, entitled, "A Resolution providing for a Contract or Contracts for demolition and replacement of Radcliffe Street Bridge (PW 80-16) and related street improvements, including as may be necessary the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, and providing for the payment of costs," by redefining funding sources.

Also,

No. 1191 Resolution providing for a contract or contracts for the Replacement of Kirsopp Street Sewer (PW 80-27) and providing for the payment of the cost thereof.

Also,

No. 1192 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for himself and Mr. McNamara, to attend 1980 International Public Works Congress & Equipment Show, Kansas City, Missouri, September 13-18, 1980, cost not to exceed \$2,100.00, payable from Code Account 1610, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff** presented

No. 1193 Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA, 15147, in the amount of \$2,906.78 in payment for repairs to a Smith Tapping Machine and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley** presented

No. 1194 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, PA, 15230, in the amount of \$1,218.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 11955 Communication from Paul Brophy, Director, Department of Housing, submitting for Council's approval the Neighborhood Housing Program Revised Program Guidelines, dated April 29, 1980.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1196 Resolution providing for an agreement or agreements with the Uptown Athletic Association for the performance of professional services, and transferring the sum of \$55,000.00 from Code Account 42, Contingent Fund to Code Account No. 1838, Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Robinson** moved to suspend Rule 8 by

providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Stone** presented

No. 1197 Resolution providing for the issuance of a warrant to Dolores E. Maletic, in the amount of \$6,000.00 in full settlement of claim for personal injuries, and providing for the payment thereof.

Also,

No. 1198 Resolution providing for the issuance of a warrant to Martina Holmes, care of Andrew M. Schifino, Esquire, 20 Market Square, Pittsburgh, PA, 15222, in the amount of \$1,000.00 in full settlement of a claim for personal injuries and providing for the payment thereof.

Also,

No. 1199 Communication from Mayor Caliguiri requesting permission for George Whitmer to attend State Local Government Committee Hearing on Pension Recovery Legislation, Harrisburg, PA, July 30, 1980, cost not to exceed \$200.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1200 Communication from John Gabriel, Executive Director, Commission on Human Relations, requesting permission for Paul Klein to attend EEOC training session, Washington, D.C., July 21-24, 1980, cost not to exceed \$350.00, payable from EEOC Trust Fund, Commission on Human Relations.

Also,

No. 1201 Communication from R.

Douglas Long, Director, Pittsburgh Convention/Exposition Center submitting the proposed budget for the David L. Lawrence Convention Center for fiscal year July 1, 1980 - June 30, 1981.

Which were severally read and referred to the Committee on Finance.

#### UNFINISHED BUSINESS

The Chair presented

Bill No. 1202

July 2, 1980

Honorable President and  
Members of Council  
510 City-County Building  
Pittsburgh, Pennsylvania 15219

Re: Bill No. 1059  
Truck Route (Amendment)

Dear President and Members:

Bill No. 1059 is an ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definition, and Chapter 503, Enforcement and Control, by defining the term "truck route" and by prohibiting the operation of vehicles with a gross vehicle weight in excess of 14,000 pounds except on a designated truck route unless the vehicle is moving from point of origin to the nearest truck route or from nearest practical and safe street that can be used from the truck route to the destination.

On June 30, 1980 Mrs. Madoff moved that the bill be amended by adding a section purporting to require that a police officer be assigned to the entrance of the ramp at Upper Beechwood Boulevard from 4 p.m. to 6 p.m. The amendment was approved by a 6-3 vote despite the fact that City Council was apparently aware of its legal infirmity. Mrs. Madoff herself was quoted as saying, "I know we can't tell him (the Mayor) where to put the police..." Newspaper reports of the proceeding indi-

cate that other members of Council also realized the bill might not be legally sound. I totally agree with Robert Rade Stone, Chairman of the Finance Committee, who reportedly described the legislation as an "asinine amendment." I also concur in Councilman William Coyne's reported view that "There is no way you can amend a bill to require a policeman to be stationed at a specific place."

My administration views the "truck route" legislation as vitally important to the safety of the citizens of Pittsburgh. Its purpose is to do all we as a City can do to prevent serious injuries and loss of life. It is a tragedy that this important public safety legislation has been affected by the whimsical enactment of a known legally improper amendment. If a lawmaker has no respect for the law, then who will?

The City Solicitor has advised by letter dated July 2, 1980, a copy of which is attached, that, among other things, the amendment violates the Pittsburgh Home Rule Charter; the Collective Bargaining Agreement between the City and the Fraternal Order of Police, Fort Pitt Lodge No. 1, which clearly provides that the City through the Superintendent of Police, has the exclusive right to manage, administer and to supervise the employees including the right to schedule and assign work; and the Doctrine of Separation of Powers since it is an obviously unlawful infringement upon the powers of the executive branch of our City government.

For these reasons I hereby veto Bill No. 1059, as amended, and return the same unsigned. I urge you to reconsider this bill at the next meeting of City Council. If this necessary veto is sustained, I will arrange for the resubmission of this vitally important legislation, uncluttered by illegal amendments, at the earliest possible time.

Very truly yours,

RICHARD S. CALIGUIRI

Which was read, received and filed.

Also,

Bill No. 1059

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definition, and Chapter 503, Enforcement and Control."

Which was read.

**Mr. Stone:**

Mr. President, I move to sustain the Mayor's veto.

**Mr. Coyne** seconded the motion.

**Michelle Madoff:**

I would like to make a comment. I read the legal opinion, as did all members of Council I am sure, where the Mayor says, "If a law-maker has no respect for the law then who will?", and I think he might rethink that statement since many ordinances have passed this Council with regard to the number of police, with regard to burglar alarms, with regard to city owned properties, litter for example, and he has never seen fit to enforce the ordinances.

It wasn't Michelle Madoff who was responsible for the delay in the re-routing of trucks, you know we were delayed for a number of weeks because the signs, the legal authority was not ready.

The one week that I am holding this bill if it solves a major health hazard, is not unreasonable, because we can waive Rule 8 and it can move next Monday.

The obvious solution to the problem of upper Beechwood Boulevard is the construction of a new road through the Brownsville Road slag pile area. Unfortunately, this has been in the works for over 10 years with SPRPC and PennDOT and they just aren't moving, saying they don't have the dollars and so on.

I would like to remind His Eminence the Mayor that he used to live at upper Beechwood Boulevard where these trucks were allowed and he wasn't too thrilled about it at the time. He has now moved to lower Beechwood Boulevard where there are no trucks allowed on that part of the street.

It appears that when Superintendent Coll had stationed a police officer to keep traffic moving as he has in the past, for a very limited time, it resolved the problem by keeping traffic moving. However, like all issues that are not dealt with in a long term basis, we will be back to go unless a permanent solution is found. I spoke to Superintendent Coll this morning, he was not at the Mayor's meeting. I expected to see him there, and he said that he is looking into a sign system that orders traffic to keep moving, and to take alternate routes that are available.

He tells me the reason trucks and cars wait for the opening of a barrier is that it is more expedient and that perhaps they are not always familiar with the alternate routes. We will try to get signs and give alternatives — signs that give alternatives, placed in appropriate locations. However, this probably will not be enforceable unless there is a fine for idling. Parking should be allowed, but not idling. In other words, people living there will want to park their cars, but not trucks that are waiting for the opening of the ramp.

We need clarification from the State and from our own Legal Department. Maybe an answer would be to eliminate all idling of motors at intersections or in front of stores or at inappropriate places for more than 15 minutes. I understand you need 10 minutes or so to rev up if you are going to get your truck moving, but, for example, we used to get calls the Port Authority buses were running their motors for two hours while the ballgames were going, and asphyxiating people, and I know a doctor who took his brother to the hospital with a heart attack and he believed it was caused by the fumes from the buses

because nobody said shut it off, they were running it to keep the air-conditioning going.

I think that the bill was not asinine, because all Council was doing was relating a message to the Mayor, we were delivering a message, at 6 to 3, we were saying, "Council would like you to do something about a problem and this is one way of bringing it to your attention."

I deeply resent the childish display of temper by His Eminence the Mayor, when he labels a concern for the public health as asinine, and infringes upon and claims that we are infringing upon the powers of the executive branch meaning we will be ruled by the Mayor — you know, he will rule. I think government would be best served or better served if the Mayor worked in harmony with City Council instead of in an adversary position.

I am approachable. The Administration has only to promise to resolve the problem by being a little innovative, and with Council's help, we wouldn't be playing the game of "I'm the Mayor, how dare you in City Council tell us how to run the City". Even Councilmembers sometimes have good ideas Mr. Mayor.

Now, if the bill is illegal and I have to accept the Law Department's opinion, at least we have delivered a message, and I think Mr. Givens said it better than anyone last week, he said, "even though it may not be legal at least maybe we will call attention to the problem" and Superintendent Coll said that he will do something. I guess we could bring it up again, its been pending 15 years. I think when people start moving out of their homes because their children are breathing fumes, that Mr. DePasquale, are no further from the trucks than you are from me, as a matter of fact they would be closer to where Mr. Perry is sitting. That is how close that situation is. And I think we have a moral responsibility to the community, not just in rerouting traffic, but in seeing that health is safeguarded, and I might add that the bath-

room here was very analogous. That bathroom wasn't closed down and it was never a Mayor's bathroom, I'm going to tie it in, it was a matter of my calling the Board of Health and having it condemned as a health hazard. If necessary I will call in the Board of Health and EPA and condemn that corner as a health hazard and then nothing will be allowed to park or run in that area.

Now, Superintendent Coll has given his word that he will do something. I would like to schedule a meeting, and because of our very, very tight schedule, the first of next year, because we want to get through the budget and vacations, and that should give him enough time to work out the problem and I will vote to sustain the Mayors veto.

**Mr. Stone:**

Mr. President, if I may, I think it is wrong to engage in a long dissertation in attempting to attack the Mayor on what I think in this instance, and I am dealing only in this instance, I think he is 100% correct, and I think that we render ourselves less than fair when we attempt to do things as I labled it last week, asinine, as we did last week, and I think that it hasn't changed. It will always remain asinine so long as we intend to be that way and he has just pointed it out, that it is in fact, what we have called it.

I think it is wrong to perpetually go into something to rationalize when he is on target 100% here, it is totally wrong, and that is why we get into difficulty because we want to justify and rationalize a position that has no ability to be rationalized and it has no footing and no standing, at least in the logical mind, and I think we ought to get on with sustaining this veto and get it over with once and for all, but I think in the future, it ought to show that when we do things like this, we tend to bring disfavor upon City Council. We have earned a good name in the past, this kind of thing certainly is taking away from the good that is there.

**Michelle Madoff:**

Not any more, Mr. President, than ordinances that have passed this Council that have not been enforced by the Administration, not any more than times that Mr. Stone takes a long time, a great deal longer than I did because I prepared my statement so I would be brief, when he goes on and on justifying his position as to why he voted for the bank and Allegheny General Hospital, which I think was an immoral vote and that is my personal opinion, it is alright when he mouths off, but nobody else can do it.

**The Chair:**

Stay on the bill Michelle, please.

**Mr. Givens:**

Mr. President, I would just like to add one comment in the fact that my name was mentioned in that letter as being one of the people who voted for it knowing that it was not going to be a legal document, and that is so. We have in our Finance Budget, we have asked the Mayor to provide police officers for this City of Pittsburgh which he, under the many years that he has been there, has denied the people of the City of Pittsburgh when this Council, in fact, has appropriated the money. So, it is a two way street and I think we are trying to bring out a point to the Mayor and if the media undertook to feel that we are wrong in what we did, fine. The point was brought out, its pollution, I understand the problem, I am affected by it and many other people are affected by it and I think when we realize this altogether, that in working together and getting the truck route so it is a route that they don't have to idle, and get our lights under synchronization so a truck can go through the City of Pittsburgh without stopping at every red light that they come to will clear up a lot more pollution than we generate.

**Michelle Madoff:**

Mr. President, one other important

item, you know that there was a bill pending on false alarms, burglar alarms, of which 95% are false alarms and something like 100 police are being deployed on these false alarms. Superintendent Coll was to deliver that bill last Monday because of our time frame with elections and holidays and budget, and I spoke to him today, he is short-staffed and hoped he would get it for us this afternoon. I don't think he did, am I correct Mr. Perry? And that delays that bill, but you know, that if we can get only 50 policemen, only 50 policemen, which represent \$1 Million, back on the streets, we could have a policeman on that corner from 4:00 to 6:00 who would take care of that problem, certainly to get things moving, and I don't think it was asinine, I think it called attention to a serious problem, it didn't delay it very much and perhaps something meaningful will be the outcome, and the bottom line, maybe something meaningful will happen.

**The Chair:**

Well, right or wrong, the media doesn't sway me, for one reason, the media doesn't live in that area and probably couldn't care less, so that is beside the point.

**Michelle Madoff:**

But they bicycle up there.

**The Chair:**

Okay, can we vote on the issue?

Is there any further discussion on the veto?

And on the question, "Shall the veto be sustained?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff      Mr. Stone  
Mr. O'Malley      Mr. DePasquale  
Mr. Robinson      (Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the veto was sustained.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1203 Report of the Committee on Finance for July 2, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1042

An Ordinance entitled, "An Ordinance amending, supplementing and repealing certain sections of the Pittsburgh Code by adding and deleting certain substantive changes and by correcting inadvertent errata therein." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne      Mr. O'Malley  
Mr. Flaherty      Mr. Robinson  
Mr. Givens      Mr. Stone  
Michelle Madoff      Mr. DePasquale  
Mrs. Masloff      (Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1098

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Mary J. McCrory, Attorney at Law, in the amount of \$200.00, in payment for services rendered to the Council of the City of Pittsburgh, without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Service and Salaries of Council."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne      Mr. O'Malley  
Mr. Flaherty      Mr. Robinson  
Mr. Givens      Mr. Stone  
Michelle Madoff      Mr. DePasquale  
Mrs. Masloff      (Pres't)

Ayes 9      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1110

A Resolution entitled, "Resolution transferring \$30,000.00 from Code Account No.



1073, Utilities, to Code Account No. 1079, Refunds and Interest, Water Rents."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1127

A Resolution entitled, "Resolution providing for the issuance of a \$1,044.89 warrant to Graham Smith in full settlement of claim for vehicle damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1128

A Resolution entitled, "Resolution providing for the issuance of a \$933.13 warrant to Lois A. Funk in full settlement of claim for vehicle damage; and providing for payment thereof."

Also,

Bill No. 1129

A Resolution entitled, "Resolution providing for the issuance of a \$1,381.27 warrant to Wausau Insurance Companies and Mary Ann Bittner in full settlement of claim for vehicle damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1130

A Resolution entitled, "Resolution providing for an Agreement or Agreements with School District of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1138

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of H. F. Carter, Incorporated, in the amount of \$8,006.84, in payment for work performed at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1167

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$826,000.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from May 5, 1980 through June 1, 1980."

Which was read.

Mr. Givens:

I'd like to make one point at least, to bear out my feelings on this, there is almost  $\frac{1}{2}$  of a million dollars in unspent salaries and wages on regular and temporary employees in the Police Department on just this bill.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 1204 Report of the Committee on Public Works for July 2, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 892

A Resolution entitled, "Resolution vacating Broadview Street between Woodward Avenue and a point 162.50'± northwardly in the 19th Ward of the City of Pittsburgh.

Which was read.

**Michelle Madoff:**

I have a problem on Bill No. 892 Mr. Coyne, would you have any objections to holding that a week? I'm a little bit confused on that, I just talked to Mr. Robinson, I understand that the people there are not in favor of having that street vacated and that we are vacating for private people. I don't know who or what, for some reason I don't know the story there. Does anybody know anything more about it?

**Mr. Coyne:**

The Director was up here the other day and they explained that at the Council table, but if you'd wish to hold it for a week —

**Michelle Madoff:**

Maybe I don't remember which one, I'm sorry, if you just quickly remind me maybe it will come back to mind. Is that the one where the two people were fighting about —

**The Chair:**

Didn't we have a hearing on that?

**Mr. Robinson:**

Yes, there was a hearing.

**Mr. Coyne:**

The Director was here Wednesday and he explained the situation, if you would care to hold it for a week —

**Michelle Madoff:**

I just wanted to know what I am voting on, I know Mr. Robinson was opposed to it and he seemed to have a good reason and I'd like to at least find out what it is before we go on.

**Mr. Coyne:**

As I say, if you want to hold it for a week, we'll hold it for a week.

**Michelle Madoff:**

I don't remember what the Director said, if you care to refresh my memory, maybe we won't have to hold it.

**Mr. Coyne moved to recommit Bill No. 892.**

**Mr. Robinson seconded the motion.**

**The Chair:**

Is there discussion on the recommital?

**Mrs. Masloff:**

Why are we holding it?

**Michelle Madoff:**

Because I don't know what it is all about.

**Mrs. Masloff:**

Well, the rest of us do.

**Michelle Madoff:**

Well then vote.

**Mr. Givens:**

I have sat in on a public hearing on

this bill, I listened to the Director and I can't see why we can't —

**Michelle Madoff:**

And I confess I was late in coming to that hearing and I just wanted to know if somebody would refresh my memory on it so we wouldn't hold it up but since Mr. Robinson has —

**Mr. Givens:**

Why didn't you come to the meeting?

**Michelle Madoff:**

Who comes to meetings?

**The Chair:**

All right, let's not get into that.

**Michelle Madoff:**

Since Mr. Robinson has strong feelings about it I would like to learn a little bit more from Mr. Robinson.

**The Chair:**

Is there any further discussion on the recommittal?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes 1

**(MR. GIVEN'S VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Also,

Bill No. 1095

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for Sewer and Catch Basin Repair (PW 80-25) 4-01-25-0752-80; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 205 Report of the Committee on Planning, Housing and Development for July 2, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1096

A Resolution entitled, "Resolution providing for an agreement or agreements with the Bloomfield-Garfield Corporation for a mar-

keting survey and other preliminary surveys necessary for the preparation of a comprehensive plan of renewal of the Garfield district, and transferring the sum of \$10,000.00 from the 1980 Community Development Unspecified Local Options, CC-80-01, to the Local Development Corporation of the Bloomfield-Garfield Corporation."

Which was read.

**Michelle Madoff:**

Mr. Coyne, you met, as I recall, very graciously with the people from the Bloomfield Area after the meeting. What conclusion did you come to, I would sort of like to be briefed before we move on the bill. I know you were concerned about, even though changing the account, this would not be delayed for a long time.

**Mr. Coyne:**

Well, the discussion was around whether the funding was going to come from a source already established in the budget or whether it was going to come from Unspecified Local Option, and it concluded that it is going to come from Unspecified Local Options.

**Michelle Madoff:**

How soon do you think that will move?

**Mr. Coyne:**

As soon as the Administration and the Planning Department and the Community can get together and work out the arrangements.

**Michelle Madoff:**

You would say relatively quickly?

**Mr. Coyne:**

Yes.

**Mr. Givens:**

I would like my remarks on Bill No.

1096 to be brought forward from Wednesday's discussion and incorporated into the minutes of today's meeting.

**MR. GIVENS' REMARKS FROM  
THE MEETING OF  
WEDNESDAY, JULY 2, 1980:  
(Bill No. 1096)**

**Mr. Givens:**

Would you not say that the federal government and this City have poured millions of dollars into at least the Garfield area in code enforcement? You mentioned East Liberty and some other areas where the City has done likewise. Would you not say that the Bloomfield-Garfield Corporation, per se, has been working with the City Planners in that particular area, and have they not in the last year or two turned that neighborhood around in regard to getting banks in there, drug stores, keeping some businesses that were going to leave and inducing others to come in? They have done so, and I personally see great revitalization of that area that has gone downhill even after the Bloomfield-Garfield Code was under enforcement. That caused many people to leave that particular area, but now people are wanting to put their feet down flat on the ground and build their community and say they are staying. They are asking for this money. It is hard for me to have as much knowledge as I think the Planning Department should have in this particular community if they do not want to go along with the study.

The Commercial Revitalization Program vs. the Commercial Loan. Revitalization means a totally different bag of worms. It is total in nature. Commercial is commercial. They are looking at more than the commercial entity. They are looking at the total neighborhood, per se, and this requires some type of an in-depth study from a consulting firm like we have had on the south shore, north shore, east shore, and west shore.

I think this Council knows what we want, but when I received a letter from

the Planning Department saying come from another direction — I don't know. Maybe it bothers me to think that when we have somebody that wants to do something, and government is not injecting their thoughts and desires in planning a particular neighborhood — this neighborhood wants to join with the government and get a plan going so they can look at a master plan and not have a hopscotch type of deal out there as far as development, but to have a planned development.

End of Mr. Givens' remarks on Bill No. 1096, July 2, 1980.

Also,

Bill No. 1119

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Central North Side Neighborhood Council for implementation of a technical services program for the North Side Tenants Reorganization at a cost not to exceed \$20,000.00 and providing for the payment of the cost thereof."

Which was read.

Mr. Robinson:

I would like to amend Bill No. 1119 to read, "payable from HD80-19 (4-15-10-0009-80-06-80-15) and I would like to make that motion in conjunction with the passage of this bill last Wednesday, when we passed it contingent upon finding another funding source.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

Bill No. 1120

A Resolution entitled, "Resolution further amending Resolution No. 735 approved August 20, 1979 as amended by Resolution No. 829, approved September 20, 1979

entitled, 'Resolution providing for a Supplemental Agreement or Agreements with ACTION Housing, Inc., for professional services in connection with the Department of Housing's Neighborhoods for Living Center' by changing the source of funds and by increasing the amount provided therefore from \$110,000 to \$190,000."

Which was read.

Also,

Bill No. 1121

A Resolution entitled, "Resolution repealing Resolution No. 265, approved March 29, 1979, effective April 3, 1979, entitled, 'Providing for a Second Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh amending the Community Development Block Grant Cooperation Agreement of 1978 by providing for the reallocation of \$755,000 from the Home Repair Loan and Grant Program to a Contingency Fund for contract completion and amending Resolution No. 860, effective August 9, 1978, as amended by Resolution No. 1556, effective December 31, 1978.'"

Which was read.

Also,

Bill No. 1122

A Resolution entitled, "Resolution amending Resolution No. 700, approved August 7, 1979, effective August 10, 1979 entitled: 'Providing for a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program, by deleting two line items; and further reducing the amount in a certain line item'."

Which was read.

Also,

Bill No. 1123

A Resolution entitled, "Resolution amend-

ing Resolution No. 537, approved June 12, 1980 providing for a Contract or Contracts for the demolition and removal of condemned buildings and providing for the payment of the cost thereof, by reallocating line item totals to conform with the Capital Budget."

Which was read.

Also,

Bill No. 1124

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to enter into a Grant Agreement with Tom Mistick & Sons, Inc., for an amount not to exceed \$7,460.00 under the Neighborhood Housing Fund."

Which was read.

**Michelle Madoff:**

On Bill No. 1124, you know I have been asking repeatedly for names of other responsible contractors and I had a letter this morning, and I haven't had a chance to deal with, from a minority construction person who really would like to get involved in some of the construction. I'm going to vote yes this time, but unless I get a list of other names of people who can have a piece of the action and a piece of the pie in the City I will not vote for Mistick Brothers again, or anything they are connected with.

Also,

Bill No. 125

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allied Maintenance Corporation of Pennsylvania for the sale of Parcel 1B in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

No. 1206 Report of the Committee on Water for July 2, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1111

A Resolution entitled, "Resolution authorizing the Director of the Department of Water to grant the application of John Hobart Miller, Inc., 1376 Freeport Road, Suite 2A, Pittsburgh, PA, 15238, for water supply and private fire hydrant connection outside the City of Pittsburgh."

Which was read.

Also,

Bill No. 1112

A Resolution entitled, "Resolution accepting the dedication by Gateway Capital, Inc., of a piece of ground variable in width and

length being part of Lot No. 2 in Gateway Plan of Lots No. 2 of record in the office of the Recorder of Deeds of Allegheny County, Pennsylvania in Plan Book Volume 110, Pages 94, 95 and 96, and situate in the Second Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

No. 1207 Report of the Committee on Parks and Recreation for July 2, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1115**

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$50,000."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 1208 Report of the Committee on Public Safety for July 2, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1116**

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Citizens-Police Partnership Against Crime Program (CPPACP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Citizens-Police Partnership Against Crime Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; and providing for the deposit of the funds in a bank account; providing



for an agreement or agreements with the Neighborhood Centers Association to implement said Program and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Flaherty presented

No. 1209 Report of the Committee on Lands and Buildings for July 2, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1100

Resolution repealing Resolution No. 263 (Item E), approved 4/11/80, for the sale of property in the 26th Ward, being a 2 story frame house on Magnet Street designated as Block 46-C, Lot 215 to Michael

Decas for the sum of \$1,000. Hand money of \$100 to be returned to purchaser.

Which was read.

Also,

Bill No. 1101

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

Mr. Stone moved to approve the minutes of Monday, June 23, 1980.

Mr. O'Malley seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone,

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, July 14, 1980

No. 28

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't City Clerk

Pittsburgh, Pa.  
Monday, July 14, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1210 Resolution providing for the issuance of a warrant in favor of Howard Hanna, in the amount of \$400.00 in payment for an appraisal furnished for the

benefit of the City in connection with Crane Avenue Street widening; and providing for the payment thereof.

Also,

No. 1211 Resolution providing for the issuance of a warrant in favor of Howard Hanna, in the amount of \$150.00 in payment for court testimony and property re-inspection furnished for the benefit of the City in connection with Mifflin Road; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1212 Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended by Resolution No. 1045, approved December 31, 1976, as amended by Resolution No. 1148, approved November 25, 1977, entitled, "Authorizing the URA of Pittsburgh, to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted", by including the Bloomfield Bridge project.

Also,

No. 1213 Resolution further amending Resolution No. 1269, approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, as amended by Resolution No. 522, approved June 12, 1980, entitled, "A Resolution providing for an

agreement or agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a reimbursement agreement or agreements with the Commonwealth of Pennsylvania, Department of Transportation," by redefining funding sources.

Also,

No. 1214 Resolution vacating Acosta Way between the Boulevard and Meyers Street in the 29th Ward of the City of Pittsburgh.

Also,

No. 1215 Resolution providing for an agreement or agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the use by the City of property owned by the Commonwealth for improvements to various intersection within the City.

Also,

No. 1216 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Edward Gergerich, Donald Waldorf and Ralph Stofko, Department of Public Works, to attend Management Training Seminar, Pittsburgh, PA, July 16, 1980, at cost not to exceed \$380.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 1217 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker, F.S.C., Department of Public Works, to attend Cities and Cable Television Local Regulation and Municipal Uses Conference, Madison, Wisconsin, October 26-28, 1980, at cost not to exceed \$490.00, payable from Code Account No. 1661, Miscellaneous Services, Supplies, Re-

pairs, Materials and Equipment, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 1218 Resolution further amending Resolution No. 247, approved March 14, 1979, as amended by Resolution 1071, effective December 5, 1979, entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizen Development Corporation, a non-profit organization for the renovation of the 1st floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizen Center and a limited purpose Credit Union, and providing for the payment of the cost thereof", by providing for a Second Supplemental Agreement with the Hill District Citizens Development Corporation increasing the amount provided from \$90,000.00 to \$105,000.00.

Also,

No. 1219 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, and (1) anchor, together with crossarms, cables, guy wires and other necessary appurtenances on City property fronting on Noblestown Road, 20th Ward.

Also,

No. 1220 Resolution providing for a license to Duquesne Light Company or the installation of one (1) pole together with crossarms, cables and wires, and other necessary appurtenances thereto on City property fronting on River Avenue, 22nd Ward.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 1221 Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of

\$6,002.55 for the emergency purchase of fuel oil furnished to the Pittsburgh Zoo without previous authority of law.

Also,

No. 1222 Resolution providing for the issuance of a warrant in favor of Boswell Oil Company in the amount of \$75,006.60 for the purchase of asphalt furnished to the Department of Public Works without previous authority of law.

Which were read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until of after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1223 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various lawn care equipment (leaf blowers, rotary mower, etc.) for the Department of Parks and Recreation, and for the payment thereof.

Also,

No. 1224 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of iron plates for the Department of Water, and for the payment thereof.

Also,

No. 1225 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various printing equipment for the Photo Lab, Department of Supplies, and for the payment thereof.

Also,

No. 1226 Resolution providing for the

letting of a contract or contracts for the furnishing and delivery on one ton pick-up trucks for the Department of Lands and Buildings, and for the payment thereof.

Also,

No. 1227 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a high density movable storage file unit system for the office of the City Treasurer, and for the payment thereof.

Also,

No. 1228 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a hydraulic sewer cleaning machine for the Department of Public Works, and for the payment thereof.

Also,

No. 1229 Resolution providing for an Agreement or Agreements with Burlington Fleet Services, a division of Burlington Industries, for professional consulting services in connection with the management of the City's vehicle fleet, and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 1230 Resolution providing for a contract or contracts for the Relay of Undersized Water Lines Serving Fire Hydrants on Various Streets; and providing for the payment of the cost thereof.

Also,

No. 1231 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission to attend Water Works Operators' Association of Pennsylvania and Water Pollution Control Association of Pennsylvania Annual Conference, Penn State University, University Park, PA, August 4-7, 1980, at cost not to

exceed \$275.00, payable from Code Account No. 1701, Miscellaneous Services, Administration Division, Department of Water.

Which were read and referred to the Committee on Water.

Also,

No. 1232 An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article 1, Regulated Rights and Actions by adding a new Chapter 611, Alarms, providing regulations for alarm systems in the City of Pittsburgh.

Which was read and referred to the Committee on Public Safety.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 1233 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and Warner Cable Corp. of Pittsburgh, for the sale of Parcel 1 in the 20th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1234 Resolution authorizing a lease with Mercy Hospital for the use of property owned by Mercy Hospital of Pittsburgh, at the corner of Miltenberger and Locust Streets, at a cost not to exceed \$900.00, chargeable to and payable from Code Account 1801, Miscellaneous Services in the Department of Parks and Recreation. (Period of one year effective January 1, 1980, and terminating December 31, 1980)

Which was read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1235 Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, PA 15222, in the amount of \$546.25 in payment for numbering and repairing Police badges furnished for the benefit of the City; and providing for the payment thereof.

Also,

No. 1236 Resolution providing for the issuance of a warrant in the amount of \$495.00 in favor of Firefighter Edward McDonough, Engine Co. No. 32, 14th Street and Penn Avenue, Pittsburgh, PA, 15222, for purchase of a heavy duty scrubbing and polishing machine without previous authority of law.

Which were read and referred to the Committee on Finance.

Mr. Robinson presented

No. 1237 Resolution providing for a Seventh Amendatory Cooperation Agreement with the URA of Pittsburgh, amending the Community Development Block Grant Program Cooperation Agreement of 1975 by providing for the deletion of the provisions set forth in the Sixth Amendatory Agreement to said Cooperation Agreement as approved by Resolution No. 953, of 1976; providing further for the repeal of Resolution No. 750 of 1978 which approved

the Seventh Amendatory Agreement to said Cooperation Agreement; and providing further for a decrease in the cost thereof and reallocating the amount of \$163,800 from the program category, 1975 CDBG Program Trust Fund, "Unspecified Local Option Activities" and providing further for the repeal of Resolution No. 444 of 1980 which approved a Fourth Amendatory Cooperation Agreement.

Also,

No. 1238 Resolution providing for an agreement or agreements with Carnegie-Mellon University to assist the City in the identification of management and fiscal issues, analysis and recommendations regarding these issues and the role of the City in provision of indoor recreation, facilities and services.

Also,

No. 1239 Resolution providing for an agreement or agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$110,000.00.

Also,

No. 1240 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and Clifton Ruggs and Ida Ruggs for the sale of Parcel 78 in the 3rd Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 1241 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and the Church of the Living God for the sale of Parcel 55A in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 31.

Also,

No. 1242 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and Droz Development for the sale of Parcel 1 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1243 Resolution approving the conveyance of Park of Parcels 4B, 5A, and 5B from the URA of Pittsburgh, to the Commonwealth of Pennsylvania, Department of Transportation, said property being located in the 28th Ward of the City of Pittsburgh in Redevelopment Area No. 24.

Also,

No. 1244 Communication from Paul C. Brophy, Director, Department of Housing requesting permission for Margaret K. Charny, Department of Housing, to attend 1980 Urban and Regional Information Systems Association Conference, Toronto, Canada, August 18-20, 1980, at cost not to exceed \$500.00, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration CDHA (HD-79-08).

Also,

No. 1245 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend meeting of Pennsylvania Council for Urban Economic Development (Penn-CUED), Harrisburg, PA, July 30, 1980, at cost not to exceed \$150.00, payable from Economic Development Planning Program Trust Fund (EDPP-TF), Department of Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1246 Communication from Mel-

anie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Joseph Nardini and Ralph Fluagher, Department of Personnel and Civil Service Commission, to attend Eligibility Determination workshop, Philadelphia, PA, July 30-31, 1980, at cost not to exceed \$575.00, payable from CETA Trust Fund, Federal Funds.

Which was read and referred to the Committee on Finance.

### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1247 Report of the Committee on Finance for July 9, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1060

A Resolution entitled, "Resolution authorizing the formation of a municipality authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form articles, authorizing the execution of articles and the filing with the Secretary of the Commonwealth and appointing members."

Which was read.

Mr. Stone:

Mr. President, if I may, on Bill No. 1060, I have given to every member of Council, I hope they have it by now, the substitute amendment which changes, basically, the selection thereof.

Paragraph four — the members of the Authority shall be:

1) The Executive Secretary to the Mayor

who is presently David M. Matter, or his successor, as designated by the Mayor, and who shall serve for a term of five years.

2) The Director of the Department of Supplies

who is presently Lawrence J. Yatch, or his successor, as designated by the Mayor and who shall serve for an initial period of four years.

3) The City Treasurer

who is presently Ronald C. Schmeiser, or his successor, as designated by the Mayor and who shall serve for an initial term of three years.

Those three are appointed by the Mayor.

4) A member of City Council, or Council's designee, who is presently Tom Flaherty, or his successor as designated by Council and who shall serve for an initial term of two years.

That one is appointed by Council.

5) A member of City Council, or Council's designee, who is presently John Buckley, or his successor as designated by Council and who shall serve for an initial period of one year.

If I may, or by way of some interpretation — under this provision, the Mayor is appointing three, City Council is appointing three, I am recommending that one of those individuals, since I will not be serving, should be the head of our Budget Staff, and that is Mr. John Buckley, as the designee.

Mr. Flaherty has indicated he would like to serve as the Councilman, and he is number four. So what we have is appointments by the Mayor and appointments by Council and I think it gets now to where as Finance Chairman, those objections that I previously had are answered with one additional thing. If you will note it says, "Executive Director or his successor" "The Director of the Department of Supplies or his successor". While their term goes longer



than the Mayor's term, if they are replaced, then the person would change. In short, that particular title carries rather than the individual name.

I would move that the amendment as I have given it to the bill, be made.

**Mr. Givens** seconded the motion.

**Michelle Madoff:**

Who picked the people to be on the board? Who made the four choices?

**Mr. Stone:**

The first three?

**Michelle Madoff:**

All of them.

**Mr. Stone:**

They were picked by the Mayor.

**Michelle Madoff:**

And the last line is that you don't wish to —

**Mr. Stone:**

And Mr. Flaherty, as Councilman indicated his wish to do it and since he wants to do it I am suggesting that he be on it, and also Mr. Buckley who heads the Budget Staff, as Finance Chairman I recommended that he be on.

**Michelle Madoff:**

As your alternate, as your surrogate.

**Mr. Stone:**

No, I would hope he is Council's alternate.

**Michelle Madoff:**

Well, but it is because you feel that is

should be somebody from the Budget Office.

I have no objections to any of the people and I am glad to see that three members of Council who have not been appointed, and especially a new member who has been here a lot less than I have and I am glad to see that you are considered worthy enough to be on a Board and I certainly would support those appointments.

**Mr. Givens:**

Mr. President, I would only want to add one comment, that in discussing this on Wednesday, I was under the impression that all authorities as now exist in the City of Pittsburgh are now appointed by the Mayor — but each of those authorities apparently come under different State Municipal Codes by various degrees. This particular one says that the governing body. The governing body can be and should be I guess, that of the Council and the Mayor of the City of Pittsburgh, so what Mr. Stone has so advocated here is correct and as I indicated, I would second that motion.

I would like to add two more things that happened at the Mayor's meeting this morning, that I would approve this particular leasing authority, and if you can recall, last Wednesday I abstained for the reason that I did not receive certain information from the Administration. The one was within the leasing authority itself, that we will have a training department or a training section. That, according to Director Yatch is under way today, they actually have a person in there performing that task and the first people who will go through will be the Directors, and those mainly responsible for the vehicles themselves.

Secondly, I asked that an accident investigative board be formed. They are looking into that, it is something that is very serious and I think we know that in the City of Pittsburgh, that our accident rate and what we are paying out in the four some years that I have been here, is be-

tween \$500,000 and show it is approaching somewhere over the \$1.2, \$1.3 Million. The majority of those judgments against the City of Pittsburgh are coming from accidents involving city vehicles.

Back before Mayor Pete Flaherty — in fact, during Pete Flaherty's Administration, they had such an accident investigating board, but it is tied up in a lot of legal jargon right now and we have to separate that, I would say that before the Mayor presents his budget, this Council, wherein the Operating Budget will reflect the amount of money that will pay for this leasing authority. That that particular accident investigation board be set up. If not, I think that the Mayor and the Administration knows exactly where my vote will go for that amount of money. I will not put money to buy new vehicles if we don't tighten up our own ship.

**Michelle Madoff:**

Mr. President, we have a great source of funding, we have an Appeals Board that doesn't function because nobody gives them any appeals, we could just switch them over to this board. They are begging for something to do.

**Mr. Stone:**

They don't have any jurisdiction —

**Michelle Madoff:**

I'm just being facetious, I'm just delivering a message.

**Mr. Stone:**

Mr. President if I may, let me just cover this legally. Relative to the legal issue itself, there is an enabling act which sets up authorities for the City of Pittsburgh and it does use the words "governing body". It is my contention that this governing body is the City Council of the City of Pittsburgh, and I do not back that particular opinion one iota.

Secondly it is the legal opinion of our City Solicitor that that particular governing body is the Mayor and perhaps Council, and by some legal gymnastics he arrived at some kind of a relationship that the Home Rule Charter has amended the original enabling act. I respectfully differ with him on that legal issue. But what I did this morning was attempt to drive a compromise because I think that this particular bill is of importance to the City of Pittsburgh. It is something that should not be tied up in a constitutional issue and in sharing it with the Mayor we came to this kind of a compromise on it which I think has some wisdom to it and that is why I am recommending the change at this particular time.

I think it gets us on with doing business and we have a very limited choice. We either come up with \$20 Million right now, or we come up with \$9 Million now and function under this authority which gives us the ability to lower the interest rate on those purchases as we attempt in some sort of revolving fashion, to replenish and get on some sort of target of time-table where each one will be coming in at the time of their year of depreciation. I think it is a move in the right direction financially, wholeheartedly endorse it, and just to play safe, Mike, the amendment that everyone in Council has is the one that I am proposing as a substitute amendment.

**Michelle Madoff:**

Mr. Stone, your point of clarification, did you say that you had an altercation or a difference of opinion with the Legal Department as to who the appointees would be and that you came up with a compromise?

**Mr. Stone:**

Yes, as I indicated earlier, I think that governing body indicated the original enabling act which set up the authorities for the City of Pittsburgh, is Council.

**Michelle Madoff:**

And they said it wasn't, it was Council

and the Mayor's Office, and you did need —

**Mr. Stone:**

Mead Mulvihill says that the Home Rule Charter amended that, and as I indicated earlier, I respectfully differ with him.

**Michelle Madoff:**

I agree with you but what I am saying is I am a little bit confused. Are you saying that in the Mayor's opinion, since he felt it was an Administrative process, that he should make all the decisions? Or did you come to an amicable agreement?

**Mr. Stone:**

His City Solicitor made the interpretation that the original enabling act which set up the authorities for the City of Pittsburgh was amended by the Home Rule Charter and I have indicated that I don't agree with that, but nevertheless —

**Michelle Madoff:**

But there was an agreement of mind that these people were acceptable with the Mayor as well, is that what you are saying?

**Mr. Stone:**

No, it was with an agreement of mind that we would set it up in this process giving Council some representation and the Mayor some representation, and under the circumstances, rather than getting into a constitutional issue, we are getting to a practical and what I consider acceptable solution to an immediate problem.

**Michelle Madoff:**

Then your answer to my question is that you came to an amicable agreement, he is not going to fight you on it after we pass it?

**Mr. Stone:**

I would strongly urge passage at this time.

**Mr. Flaherty:**

Mr. Stone, are you saying that the Mayor has agreed to the compromise — I mean, has an agreement been struck or not?

**Mr. Stone:**

Agreement has been struck, the Mayor agrees, I spoke to the Director of the Department of Supplies, Mr. Yatch, spoke to the Assistant City Solicitor, Mr. Bufard, spoke to the Bond Counsel, Mark Schwartz, they have all agreed and they have since touched base with the Mayor and with Dave Matter and it is my understanding that we all have a meeting of the minds and it is with that in mind that I bring it to this just body for your final approval.

**Michelle Madoff:**

As a matter of record, and since we are waiting for the President to come back, I would like it to be reflected in the record, the person who really worked this out, and whose idea and concept it was in the beginning, was Director Yatch and he should receive kudos for that and I think that while nobody pats me on the back I'll do it myself — way back in the first months that I was here it became very apparent that most of our accidents were vehicles in the Refuse Department and I was looking at claims under \$700 and for a while I was getting a list of claims over \$700, they stopped giving them to me and I am still waiting for them, I have made about six or seven requests and I think that the dollar figures are becoming astronomical, I did ask Director Yatch this morning whether in addition to what Councilman Givens has requested and we have all talked about a training program, a review board, whether indeed there would be some retribution for malicious damage and that is something he and I both feel very strongly about and have discussed previously. We are not talk-

ing about an accident, anybody can have an accident, we are talking about burning a hole through a seat, that wasn't done once, by putting a hot coffee plugged into the cigarette lighter, but repeatedly, repeatedly, and finally wears a hole through. I think that is very important, but I again say, I think the credit for this should really go to Director Yatch.

**The Chair:**

Mr. Stone, I stepped out for a moment — you know it's my sentiment and I shared it with you, that Council should have the three members and the Mayor too. You were explaining that the City Solicitor said they had amended the Home Rule Charter, the Mayor then had the prerogative of picking three and Council two?

**Mr. Stone:**

Yes.

**The Chair:**

You are positive of that.

**Mr. Givens:**

Excuse me, not in the Home Rule Charter "Jeep", just in this particular leasing authority. The Home Rule Charter still specifies that the Mayor appoints all members to the authority and has the one exception there in accordance with the law. The law in this particular case in the Municipal Authority that sets this up.

**The Chair:**

Well, the execption that Mr. Stone is stating is the governing body, and Council is the governing body, therefore Council should have —

**Mr. Givens:**

In this particular municipal code, it indicates, "the governing body", on the other four authorities that we have within the City, it indicates the Mayor, very specifically.

**Michelle Madoff:**

Does the Mayor have an appointment on ALCOSAN, he does not, am I correct Mr. DePasquale?

**The Chair:**

No, he does not, Council has three and the County two.

**Michelle Madoff:**

Because I asked for that appointment, he said he didn't have one. I think Mr. Stone is probably 1,000% right.

**The Chair:**

Is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Stone</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Michelle Madoff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 1142

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carrier Air Conditioning in the amount of \$730.00 in payment for emergency repairs to the central system at the Public Safety Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1143

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of \$975.00 in payment for services performed in connection with testing of valves at the City-County Building; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1154

A Resolution entitled, "Resolution amending Resolution No. 204, effective April 3, 1980, entitled, 'Providing for the transfer of funds in the amount of Thirty-Five Thousand Dollars (\$35,000.00) from Code Account 45, Health Insurance to STF #2, Young Adult Conservation Corps Project' by increasing the amount."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1164

A Resolution entitled, "Resolution providing for the issuance of a warrant to Christina Gregg in the amount of \$8,500 in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1166

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, in the amount of \$907.50 in payment for labor and related installation services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1168

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Job Developers Coalition of Western Pennsylvania to provide classroom training and employment and training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Coyne presented

No. 1248 Report of the Committee on Public Works for July 9, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 892

A Resolution entitled, "Resolution vacating Broadview Street between Woodward Avenue and a point 162.50± northwardly in the 19th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1139

A Resolution entitled, "Resolution amending Resolution No. 567, approved June 23, 1977, effective June 27, 1977, entitled, 'A Resolution providing for a Contract or Contracts for the rehabilitation of various city streets, 'B' Program, including paving, curbing, related waterline replacement and other work incidental thereto, and providing for the payment thereof.'"

Which was read.

Also,

Bill No. 1140

A Resolution entitled, "Resolution vacating the northerly half (10 feet) of Navy Way from Scorer Street to Diller Avenue in the 31st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1183

An Ordinance entitled, "An Ordinance sup-

plementing the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definitions, and Chapter 503, Enforcement and Control, by prohibiting the operation of certain vehicles except on a designated truck route, as defined."

Which was read.

Also,

Bill No. 1185

A Resolution entitled, "Resolution granting unto J. J. Gumberg Co., Third Avenue, its successors and assigns, is hereby given the right, privilege and authority to construct, maintain and use at its own expense a pedestrian tunnel under the northeast sidewalk connecting the Magee Building and the Commonwealth Annex, the area is Third Avenue near Smithfield Street."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 1249 Report of the Committee on Planning, Housing and Development for

July 9, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 992

A Resolution entitled, "Resolution funding the purchase of the home at 7211 Thomas Boulevard for the use of the Women's Center and Shelter of Greater Pittsburgh."

Which was read.

**Mr. Givens:**

On Bill No. 992, at the Mayor's meeting this morning, I so directed the Director of Planning, Bob Lurcott, to come up and tell us, Council, before two o'clock today, all of the non-conforming uses within that particular area where the Women's Shelter is going to go. As we can recall, it was somewhere between 16 and 22, was the figure that was thrown out. That was reduced using the example of the Group Home legislation that we will be having debate on come July 29th of this year. This will be the second time for that. Under those definitions the Group Home or Homes that are not conforming to the City Code were 8. Two were reduced, that brought it down to 6, they found one more, it is up to 7 right now. Of those 7 they are in various stages of litigation, in some cases, or the people are trying to conform to the use and since that hearing was only held in January or February and the fact that people do have to make arrangements, many of these are still not settled today.

For that reason and some other logical reasons that have come before this Council over the weekend, I request that Bill No. 992 be tabled at this time.

**Mr. Stone:**

You don't want to table here, you want to recommit.

**Mr. Givens:**

We could recommit it, that would bring it up this Wednesday Bob, I think we are not going to have enough time by this Wednesday to iron out some of the difficulties that we are having on this particular bill.

**The Chair:**

Section on the motion to recommit Bill No. 992.

**Mr. Givens:**

No, to table.

**Mr. Stone:**

You don't want to table here, you've got to recommit and then on Wednesday table it.

**Mr. Givens:**

Well, excuse me, okay, that is — I was going to ask Mike, I'll just recommit it and then table it.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Question, on the bill that is going to hearing on the group homes. Have you re-worked the bill at all?

**Mr. Robinson:**

No, the bill has been referred back to the Administration.

**Michelle Madoff:**

Well, it had a public hearing, now we are going to have another public hearing and to your knowledge, have you seen a re-working of that bill?

**Mr. Robinson:**

No, I have not.

**Michelle Madoff:**

You haven't seen the bill at all, so you don't know whether it has been re-worked.

**Mr. Robinson:**

I recall the original bill was forwarded to us and the bill that we had the hearing on. I would assume that bill was being held for another hearing and if the Administration had any additional information they would forward it to us.

**Michelle Madoff:**

Would you do me the honor, would you represent Council and see if the bill has been re-worked so we get it before the 29th to see what has been re-worked, because as the bill is presently drafted, the next group home would take place in the middle of the Allegheny River.

**Mr. Robinson:**

It may be appropriate to have the City Clerk forward some sort of communication to the Administration indicating that they have —

**Michelle Madoff:**

Is that agreeable with you Mr. Robinson?

**Mr. Givens:**

Mr. President, it was very interesting — that question was asked this morning and Director Lurcott said that that bill has been up and should have been over to Council, so someplace —

**Mr. Perry:**

A new bill?

**Michelle Madoff:**

Yes.

**Mr. Givens:**

That's right, group homes she said he



sent it up to the Administration some time ago, whatever that meant.

**Michelle Madoff:**

Maybe he sent the same bill and they haven't re-worked it. It's election year, it is a very unpopular bill to have, group homes in R1 and R2 areas, but we all have to assume responsibility because even those who are more affluent have problems.

**The Chair:**

I'm glad you reconsidered Mr. Givens because I think the bill would have failed so you did the proper thing because with the litigation, obviously we had no choice.

**Michelle Madoff:**

I'll tell you one thing Mr. President, I have been called by about seven womens groups from the League of Women Voters, Women's Political Caucus, and a number of other groups that are organizing. There is going to be such an organized movement, if that women's shelter doesn't get up somewhere it is going to be pitiful, I'm glad I'm not running this year.

**The Chair:**

There are just as many people who are opposed Michelle.

**Michelle Madoff:**

You know half the population or better are women.

**Mr. Stone:**

Mr. President, if I may, I don't think we should leave that kind of remark loose. You know I suggested this thing be tabled last week so that we wouldn't have to vote it down and I tabled in advance, I didn't feel that I could pass it at the time that it was being passed, that I would vote for it ordinarily.

Now, what was attempted here and I

am getting sick and tired of this kind of liberalism which gives you the choice to do it my way or no way. I am getting thoroughly disgusted with that kind of double standard of how we are going to operate.

**Michelle Madoff:**

I'm glad you brought that up —

**Mr. Givens:**

Wait —

**Michelle Madoff:**

One minute — I think he is answering me, I'm glad that was brought up —

**Mr. Givens:**

I introduced the bill, there was discussion on the floor Wednesday, Councilman Stone had his point, the vote was five to four. Today if we had taken the vote it probably wouldn't have been five to four —

**Michelle Madoff:**

After the editorial in the paper this morning.

**Mr. Givens:**

I asked that the thing be tabled, I think that is logical parliamentary procedure and I —

**Mr. Stone:**

Mr. Givens, that is not the point, there has been some indication from someone on this Council —

**Michelle Madoff:**

From Michelle Madoff.

**Mr. Stone:**

... Michelle Madoff, that there is going to be some witch hunt on those people who are voting their conscience at this particular time.

**Michelle Madoff:**

And I will re-affirm that if I were a battered woman, and if I were a woman interested in the concerns of women, that I would be very active, very active, in seeing that those people who do not support that bill do not get re-elected and I think that is a message that doesn't need to be sent and it isn't a threat, it is just a matter of fact, and since you raised the issue, and since you are not at the Mayor's meetings, I would like to re-state that the people who picketed my home — and I was the one who was chosen to be picketed as you may recall, then contacted me and asked me if I would please vote —and I think the term you use is a non-conforming use on the boy's home, would I please support that one, but we don't want the women's shelter, we are taking legal action against that one, but would you go along with the one that is not legal. Now, you know, that is not fair either.

**The Chair:**

Michelle, I think you are off the track, you are talking about one thing, about passing a bill, and another about legally being involved in litigation. We really have no choice. If the decision does come out against it then that \$100,000 could go right down the drain. I think everybody on this Council is prepared to vote for that shelter house, but at the proper time.

**Mr. Givens:**

Well, the legal interpretation was one that Council could still proceed if we wanted to do so Mr. President.

**The Chair:**

Yes, but you take a great risk there.

**Michelle Madoff:**

Well, why do we lose the money, what is the risk?

**Mr. Stone:**

Mr. President, let me further explain. I

made a suggestion last week that this be tabled and indicated that if there were no lawsuit at least the one that is pending that is going to come up in September or October, if that were resolved and resolved favorably that I would support the \$100,000.

Now, had we gone ahead and voted, and this is where people try to pretend they are in favor of something and don't understand what they are doing when they are actually hurting more than they are helping. Had that vote been adverse, this subject could not have come up in City Council for one more year. I have tried to avoid that issue, but apparently some people can't see the forest for the trees.

**Michelle Madoff:**

We had five votes, we lost the five votes Mr. Stone. Five of us saw the light.

Some people suffer from lockjaw of thought.

**The Chair:**

The bill is recommitted.

**Mr. Stone:**

Mr. President, I would like my remarks from last Wednesday brought up with regard to the bill we have just re-committed, and every time we discuss this subject I want my remarks attached to the discussion.

MR. STONE'S REMARKS FROM THE  
MEETING OF  
WEDNESDAY, JULY 9, 1980:  
(Bill No. 992)

**Mr. Stone:**

Members of Council if I may, in this bill is attached a letter from Nernberg & Laffey and they represent themselves as being counsel for the North Point Breeze Coalition. The case entitled North Point Breeze Coalition, et al. v. the City of Pittsburgh and the City Council of the City of

Pittsburgh is currently on appeal to the Commonwealth Court of Pennsylvania.

I have spoken to the Women's Shelter representative and shared with Mr. Givens the concern I have. As far as I am concerned, I have no objections to funding the Women's Shelter. I do, however, feel there is a time problem. The opinion that we have from Dan Pellegrini does not complete the question. The unanswered question is, can you go forward without any risk? When I questioned him on that he indicated there is a risk and that bothers me for two reasons. One, there is a \$100,000 figure which is to be received from the Community Development Block Grant and I would be disposed not to be for it for the reason that I think they are to move ahead at this time with those funds. In view of that I think we need a little bit of caution here. Legally, I think that it ought to be resolved and I am suggesting that to you here today. For all the parties involved, in fairness to them, I think Council should put an acceleration on the issue so that it will be resolved and it is in that light that I personally feel that we should be giving them that \$100,000.00 at this time rather than tabling it.

End of Mr. Stone's comments, 7/9/80.

**Mr. Givens:**

Mr. President, I also want my remarks brought forward from that meeting.

**MR GIVENS' REMARKS FROM  
THE MEETING OF  
WEDNESDAY JULY 9, 1980:  
(Bill No. 992)**

**Mr. Givens:**

In considering this particular bill, we have to go back a little bit and realize what Council has done in the past. The Women's Shelter does intend to pay city taxes. Too often you get a non-profit institution that sometimes does not do that and then they have to do that. They are well funded for continuing operation. They were the first

group home or institution in North Point Breeze to follow the proper procedure in seeking and receiving conditional use. They chose a properly zoned area; no zoning change was ever needed. There has been a significant percentage of neighborhood support for our move to North Point Breeze. They will not shelter more than 20 individuals at a time in the proposed locality and they have adequate 24-hour staff coverage on the premises.

We have received a legal opinion from our City Solicitor which indicated that City Council could proceed with any action it wants to take concerning the Women's Shelter. However, it should be noted that the Commonwealth Court may overturn the decision of Common Pleas Court, which of course may be affected first.

Several months ago this Council had approved the conditional use by a vote of 7-1-1 and we have taken this into consideration of the fact that they are not violating anything.

Thirdly, I'd like to say that in getting this conditional use, it was with two members of Council that are not here. The Bureau of Building Inspection went out and cleaned up many of the deficiencies that were existing in this particular community and Reggie Young submitted his report to me noting that there are 70 or more of these institutions around but there is not one in the Pittsburgh area that is for abused children and battered wives, so on that basis I would like to see it go ahead.

End of Mr. Givens' remarks, 7/9/80.

**Michelle Madoff:**

And I would also like to have the confirmation of Mr. Givens' legal opinion, that indeed we had the right to vote on it and that that did not jeopardize the dollars, I would like to see that as part of the record.

**Mr. Givens:**

In other words the letter from the Legal Department.

**Michelle Madoff:**

Yes, that is very important because I presume you were not misrepresenting, that you had checked it and that the legal opinion was indeed that we could vote, it would not jeopardize the money, if it didn't go through the money wouldn't get lost.

**Legal Opinion:**

**CITY OF PITTSBURGH**

Department: City Planning  
Department: Law

To: Reginald Young  
From: D. R. Pellegrini  
Deputy City Solicitor  
Date: July 1, 1980  
Subject: Womens' Shelter —  
Court Case

In regard to your request as to the effect of the appeal in Commonwealth Court concerning the propriety of the use of the Womens' Shelter at 7211 Thomas Boulevard, no superedeas has been granted and City Council can proceed with any action it wants to take concerning funding the Womens' Shelter. However, it should be noted that the Commonwealth Court may overturn the decision of the Common Pleas Court which, in effect, affirmed the City grant of the conditional use.

Also,

Bill No. 1069

A Resolution entitled, "Resolution amending and supplementing Ordinance No. 393 of 1967 entitled, 'An Ordinance authorizing and directing the Mayor and the Director of the Department of Lands and Buildings to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, providing for the establishment of a Residential Land Reserve Fund, and obligating the City of Pittsburgh to pay the authority or its assignee a total sum of \$6,000,000, in five (5) equal installments of \$1,200,000 in each of five (5) consecutive

years, commencing with the year 1973.' by revisions in the terms and conditions in said ordinance, by including changes broadening the program, and by authorizing the transfer of funds to the Residential Land Reserve Fund from other programs by including existing programs and their funds."

Which was read.

**Mr. Robinson:**

Mr. President, on Bill No. 1069, I gave every member of Council a memorandum that I received from Mr. Brophy relative to some amendments to that particular piece of legislation which speaks to the Residential Land Reserve Fund and I would like Council to consider those amendments.

**The Chair:**

Thank you Mr. Robinson, do we have a second?

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Flaherty:**

Mr. Robinson, I just wanted to ask if you talked these amendment over with Harold West, the Director of Lands and Buildings, or did you have any communication from Director West?

**Mr. Robinson:**

It is my understanding that this is a matter that Mr. Brophy and the Mayor, that it was assumed that the original legislation had also come up with the amendment, that Mr. Brophy had checked this with the appropriate people in the Administration.

**Mr. Flaherty:**

Okay.

**Michelle Madoff:**

You know, we just got it, what does it mean?

**Mr. Stone:**

They are substituting the Department of Housing, the Director, rather, than Lands and Buildings.

**Michelle Madoff:**

We are taking the money from Lands and Buildings instead of Housing or from Housing to Lands and Buildings? I haven't read it yet, it just came in.

**Mr. Perry:**

We are changing the source of funding —

**Michelle Madoff:**

I can't vote for that.

**Mr. Perry:**

Also deleting Lands and Buildings and inserting Department of Planning.

**Mr. Stone:**

Correct.

**Michelle Madoff:**

I can't vote for that.

**Mr. Givens:**

That brought up a point Mr. Clerk, what are the changes in the funding, I didn't see anything on this amendment here?

My question is, it indicated a change of funding, but I see all of the funding citations here, or the Code Account or whatever you want to call it, line item, but I don't see any monetary amount for the changes.

**Mr. Robinson:**

The monetary amounts are in the additional bill which you have before you.

Some time ago when Mr. Brophy first introduced this legislation, I had some concerns as to what would be its nature and at this direction, he forwarded to Council a detailed account of a particular program and the dollar amounts. Subsequent to that, evidently, he had some discussions with other people in the Administration and they decided they would like to change some of the sources. That is why you see the change of numbers without any specific dollars. Also, the person authorized to enter into the agreement, Mr. Brophy and I assume the Mayor, decided it would be more appropriate if Mr. Brophy and the Mayor enter into these agreements with the URA than it would be for Mr. West and the Mayor. I assume that is simply procedural matter, particularly in the light of the fact that Mr. Brophy does have the main responsibility for the Housing Program in the City of Pittsburgh.

**Michelle Madoff:**

Bill, is that the \$1,200,000?

**Mr. Robinson:**

Yes, I believe that is it.

**Michelle Madoff:**

And this money is coming out of the sale —

**Mr. Robinson:**

The Housing Department, it will be coming out of their fund.

**Michelle Madoff:**

It is not coming out of the foundation? The Lands and Buildings foundation?

**Mr. Robinson:**

No, the HD designation refers to the Housing Department and the number right behind HD refers to the year and the other number is a specific project number. Evidently, Mr. Brophy in preparing this legislation made some errors in putting this material together.

**Michelle Madoff:**

I think we ought to hold it a week and study it a bit, I think it is just —

**Mr. Robinson:**

Well, the other alternative for us is to refer this back to Committee and then Mr. Brophy would have to come forward I assume, and give you some explanation or substitute legislation. I recommend that we pass it, I have no problems with it.

**Michelle Madoff:**

My only concern, Bill, and if you can reassure me, and I certainly would take your word on it, you know we have these 20,000 pieces of property, it wasn't until I held the hearing here, and a few words with Mr. West, that he sat down and read the bill, one year after it passed in Council, and is now working on it. I want to be sure that the monies that we have used to help sell those 20,000 pieces of property, and I thought we had only 4,000 buildable lots, it turns out now that even Mr. West is saying, "Hey, we never thought we could build in Mt. Washington." There may be a lot of good property for signs and for someone, that we are not taking that money away, because as you know last year, we had — we didn't put the Treasurer's sale up because for eight months he didn't have a typist. The priorities are a little out of whack.

**Mr. Flaherty:**

I have a question for Councilman Robinson. I believe that Michelle Madoff brings up a good sideline point and as the Chairman of the Committee on Lands and Buildings, I was wondering Bill, if you would care to hold this for a week because I have had no communication at all from Harold West in regard to the impact of the bill.

**Mr. Robinson:**

It would not be appropriate for Mr.

West to forward anything to us relative to this matter. As I said, evidently Mr. Brophy made some errors. It is his responsibility in administering our Housing Program, to submit to us legislation specifically relating to the Housing Department. The Residential Land Reserve Fund is a program that is operating in cooperation with the Urban Redevelopment Authority. Harold West has no direct involvement in that property, it is Mr. Brophy's responsibility.

**Mr. Flaherty:**

Well, at one time though, it reads that he did.

**Mr. Robinson:**

Precisely, that was the error on Mr. Brophy's part. That is the error he is trying to correct.

**Mr. Stone:**

This was never in the jurisdiction of Lands and Buildings, they are trying to put it where it belongs in Housing, apparently.

**Michelle Madoff:**

But they are taking the money from Lands and Buildings.

**Mr. Stone:**

Lands and Buildings is more or less maintenance, this is new housing and site development which falls under Housing.

**Mr. Robinson:**

No, there is no money coming out of Lands and Buildings.

**Mr. Flaherty:**

Bill, why in the first place, was Harold West, the Director of Lands and Buildings, authorized for agreements if there were no funds coming out of the Department of Lands and Buildings?

**Mr. Robinson:**

As I mentioned before Mr. Flaherty, I assume that Mr. Brophy made an error.

If you read the memo, he indicated why he would like the change, and it says here at the bottom, I would request that these corrections be made to the resolution before it is submitted for signatures so that we would not have to go to the amendatory process again, thank you for your cooperation. He admits that if we do not go along with those suggestions, that he would have to go through the amendatory process from the very beginning. I have no problem with him going back to the very beginning, I'm simply trying to cooperate, seeing immediately that the suggestion makes sense.

**Mr. Stone:**

Tom, I think it's in the dates, you are amending an Ordinance of 1967. The Housing Authority has moved into new development and more correctly I think, the Department of Lands and Buildings is in maintenance of present buildings, so what they are doing is dating it to what they are actually doing.

**Mr. Flaherty:**

The specifically, there isn't going to be any shift of appropriations from Lands and Buildings to Housing.

**Mr. Robinson:**

No, none whatsoever. If any member of Council is uneasy and they want Mr. Brophy to explain this —

**Michelle Madoff:**

I think it's fine.

**Mr. Flaherty:**

I believe it is clear.

Also,

Bill No. 1157

A Resolution entitled, "Resolution amending Resolution No. 503, approved June 4, 1979, effective June 7, 1979, entitled, 'Resolution providing for an agreement or agreements with Detwiler Associates for architectural services in connection with the Innovative Grant - Residential Clubs Program,' by decreasing the amount of the agreement or agreements."

Which was read.

Also,

Bill No. 1158

A Resolution entitled, "Resolution amending Resolution No. 443 of 1980 providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof by decreasing the cost thereof."

Which was read.

Also,

Bill No. 1159

A Resolution entitled, "Resolution amending Resolution No. 301 approved April 6, 1979, effective April 11, 1979, entitled, 'Resolution providing for an agreement or agreements with Better Community Services, Inc., for professional services in connection with the Innovative Grant - Residential Clubs Program located in the North Side of Pittsburgh,' by increasing the amount of the agreement or agreements to provide for rehabilitation supervision."

Which was read.

Also,

Bill No. 1160

A Resolution entitled, "Resolution providing

for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Gateway Clipper at Station Square Urban Development Action Grant Project; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures creating a Special Trust Fund in connection with the Project and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1161

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Silver Lake Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Silver Lake Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally

Mr. Givens presented

No. 1250 Report of the Committee on Supplies for July 9, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1169

A Resolution entitled, "Resolution repealing Resolution No. 374, approved April 25, 1980, effective April 28, 1980, entitled, 'Resolution providing for the letting of a contract or contracts for the furnishing and delivery of wood tables for the Department of Personnel and Civil Service Commission and for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr DePasquale  
(Pres't)

Ayes 9    Noes none



And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff** presented

No. 1251 Report of the Committee on Water for July 9, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1152

A Resolution entitled, "Resolution amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by decreasing the appropriation for line item WD-80-10 and changing the description of line item WD-80-12 and increasing the appropriation of same."

Which was read.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff** presented

No. 1252 Report of the Committee on Parks and Recreation for July 9, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1196

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Uptown Athletic Association for the performance of professional services, and transferring the sum of \$5,000.00 from Code Account 42, Contingent Fund to Code Account No. 1838, Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

**Mr. Flaherty** presented

No. 1253 Report of the Committee on Lands and Buildings for July 9, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1144

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ernst & Whinney, 200 Pittsburgh National Bank Building, Fifth Avenue & Wood Street, Pittsburgh, Pennsylvania 15222, for professional auditing services in connection with the Public Buildings Energy Conservation, Inventory, Scope and Rehabilitation (Weatherization Program); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1145

A Resolution entitled, "Resolution amending Resolution No. 559, effective June 25, 1980, entitled, 'Resolution further amending Exhibit 1 of Resolution 1038, effective January 6, 1977, as amended by Resolution 424, effective May 22, 1980, entitled: 'Resolution adopting the 1977 Capital Budget allocating and setting aside amounts in connection therewith; creating Capital Trust Funds; and transferring Bond Funds to said Capital Trust Funds by reallocating funds for the Department of Lands and Buildings', by reducing Bond Funds and reinstating funds from other sources in Capital Project LB 77-08, City-County Building Renovations for Fourth Floor."

Which was read.

Also,

Bill No. 1146

A Resolution entitled, "Resolution repealing resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 514 as amended, and providing for the forfeiture of hand money."

Which was read.

Also,

Bill No. 1147

Resolution amending Item (O) of Resolution No. 289, approved 4/16/80, for sale of property in 1st Ward on Coke, Niceville and Basic. Amendment is to delete plan lot No. 626, reduce price of sale from \$4,400.00 to \$4,100.00 and correct Plan name in parcel 90-S-101.

Which was read.

Also,

Bill No. 1148

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Givens	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Mr. Givens:

Mr. President, if I may, before Mr.

O'Malley makes his presentation, there is an ordinance that I would like to forewarn Council about so no one is surprised on it, it is Bill No. 50, it is an Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, by adding Chapter 266, Exemption for Industrial and Commercial Improvement and Construction. That is the Abatement Tax for industrial and commercial improvement and construction, I would like to see that untabled this coming Wednesday so we can have debate on it. As all of us know, there are four major developments that are going to be under construction, we are in that constructional phase of the year right now and I am sure that people would like to see this bill pass as speedily as possible.

**Michelle Madoff:**

I would just like to add, you know, we talk about 98% occupancy, there are so many buildings being rehabed, now on the other side of the Boulevard of the Allies, everybody is trying to get, or buy everything up on Liberty Avenue or close to the new strip district. We are going to have a glut once those buildings open, and what is happening in New York is that they are allowing abatements or tax deferrment only on un-rented space for five years to encourage the building of the larger facilities, but what is even more important, is that when you go to Puerto Rico and you go to other parts of this Country and you see not just office buildings, but you see Johnson & Johnson Baby Powder and all the medications they make, which really provides jobs, really, lots and lots of — hundreds of jobs, and they are giving 20 year tax abatements. We could at least give something as an inducement to keep people and our country working.

**Mr. O'Malley:**

I would like to have Mr. Cannon come forward please.

This resolution gives me great pleasure and pride being the Chairman of the Committee on Public Safety, to present this to

Mr. Cannon and to all the employees involved with the Emergency Medical Service, in making Pittsburgh's EMS one of the finest services in the Country. All of us know because of the nature of government, too often people who excel in their performance to serve the public well, oftentimes many of their efforts go unnoticed.

It is because of Mr. Cannon's service and dedication to the people of the City of Pittsburgh that I would like to present this resolution.

**Mr. O'Malley presented**

No. 1254 WHEREAS, the performance of the Emergency Medical Services Squad is recognized as uniformly superior by medical professionals; and

WHEREAS, the response time for the Emergency Medical Service of Pittsburgh is four minutes, which is considered the best in the country; and

WHEREAS, last year the Pittsburgh Paramedics responded to 554,000 calls, approximately 150 calls per day; and

WHEREAS, the Pittsburgh Paramedics perform their critical duties in a rapid professional manner which often means the difference between life and death.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Members of the Council of the City of Pittsburgh commends Director Glenn Cannon and the men and women of the Department of Emergency Medical Services on a job well done and compliments them on their dedication and commitment and recognizes July 15, 1980 as Emergency Medical Services day in the City of Pittsburgh.

**Mr. O'Malley moved for adoption.**

**Mr. Stone seconded the motion.**

Which motion prevailed.

**Mr. Stone:**

Mr. President, I had the opportunity to be on this Council when the Emergency Medical Services first came about and being one of the leaders in seeing that the City of Pittsburgh got emergency medical services, I wholeheartedly endorse this in seconding the motion of the Chairperson of that particular committee.

Mr. Cannon is to be commended, he has done an excellent job since we began this for the City of Pittsburgh. He and his staff have all done an excellent job as well as your EMS. It is with a great deal of pleasure that I second this.

**Mr. Cannon:**

I would just like to thank all of Council, some of you who have been here from the beginning are aware that we are coming on a very special time for us. This August

is five years since we went into service. In fact our first ambulance call was on August 25, 1975, and from the very beginning we have had the strong support of City Council and the original appropriation of \$500,000 which allowed us to begin with CETA Manpower funds, and so again, on behalf of the entire Department, and I really mean the people who work in the street, because they do the job I would like to thank all the members of Council present and those past who helped us get on the road. Thank you.

**Mr. Stone** moved to approve the minutes of Monday, June 30, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, July 21, 1980

No. 29

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE ... Ass't City Clerk

Pittsburgh, Pa.  
Monday, July 21, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1255 Resolution transferring \$15,000.00 from Code Account 1645 Materials to 1644 Supplies, both accounts within the Traffic Control Division, Bureau of Operations.

Which was read and referred to the Committee on Finance.

Also,

No. 1256 Resolution vacating Old Washington Place from Fifth Avenue to its northerly terminus (70'±) in the 3rd Ward of the City of Pittsburgh.

Also,

No. 1257 Resolution vacating Carey Place from Sarah Street to a point 169.5 feet west of South Twenty-seventh Street in the 16th Ward of the City of Pittsburgh; excepting and reserving the 6 inch waterline and the 12 inch sewerline located therein.

Also,

No. 1258 Resolution vacating the southerly half of Laughlin Avenue between Heidkamp Way and Lacona Street in the 29th Ward of the City of Pittsburgh, excepting and reserving an easement for the 10 inch sewer located therein.

Also,

No. 1259 Resolution vacating Deviliers Street from the northerly line of Rose Street to the southerly line of Centre Avenue as laid out by the Commissioners City District Plan, June 6, 1840 in the 3rd and 5th Wards of the City of Pittsburgh, excepting and reserving easements for the 18 inch sewerlines and the 4 inch waterline.

Also,

No. 1260 Resolution granting unto

Wayne D. and Karen M. Dilla, 527 East Carson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a stoop and new steps to serve the front entrance of 527 East Carson Street, over a portion of the sidewalk of East Carson Street in the 17th Ward of the City of Pittsburgh.

Also,

No. 1261 Communication from Louis Gaetano, Director, Department of Public Works requesting interim approval of payment of \$2,239.23 to General Tire Service Company for tires for heavy equipment vehicles, to be payable from Code Account No. 1612, Materials, Department of Public Works.

Also,

No. 1262 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Gertrude Gordon to attend International Public Works Congress and Equipment Show, Kansas City, MO, September 16-18, 1980, at cost not to exceed \$675.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 1263 Resolution amending Resolution No. 404, approved May 16, 1980 and effective May 22, 1980, entitled: "Providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$18,563.00 in payment for renovations at Homewood and Central Branches, and providing for the payment thereof", by changing the source of funds and increasing payment.

Also,

No. 1264 Resolution providing for the issuance of a warrant to Thomas DiDiano

Construction, Inc. in the amount of \$3,816.35, Solari Electric Co. in the amount of \$605.00 and Andrew Metz Plumbing Co. in the amount of \$1,433.08; totalling in the aggregate \$5,854.43 in payment for extra services furnished for the benefit of the City in connection with construction of No. 2 Police Station, and providing for the payment thereof.

Also,

No. 1265 Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of \$436.88 in payment for services performed in connection with testing of valves in the City-County Buildings; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** presented

No. 1266 Resolution providing for the issuance of a warrant in favor of Central Nebraska Packing, Inc. in the amount of \$2,322.00 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law.

Also,

No. 1267 Resolution providing for the issuance of a warrant in favor of Win-Sov, Inc. in the amount of \$18,000.00 for the emergency purchase of an aired cooled compressor for the Fire Department purchased without previous authority of law.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 1268 Resolution providing for the letting, during the calendar year 1981, of a contract or contracts for the maintenance, rental, inspection of servicing of personal property and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh, and providing for the payment thereof.

Also,

No. 1269 Resolution providing for the letting of a contract for materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1981, and providing for the payment of the cost thereof.

Also,

No. 1270 Communication from Lawrence Yatch, Director, Department of Supplies, requesting interim approval of payment of \$101,400.00 to Sargent Electric Company for extra work in connection with electrical work, Street Lighting Contract Nos. 23741 and 23741-F, to expedite conversion to sodium vapor street lights.

Which were severally read and referred to the Committee on Supplies.

**Michelle Madoff presented**

No. 1271 Resolution transferring \$165,500.00 from Code Account 1700, 1795 and 1796 to Code Account 1792.

Which was read and referred to the Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was

introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 1272 Resolution providing for the issuance of a warrant in favor of William M. Orr Company, Inc., North Braddock Avenue at Thomas, Pittsburgh, PA, 15208, in the amount of \$580.00 in payment for R-22 Refrigerant for repair of the Air Conditioning System at the Water Treatment Plant furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 1273 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$2,689.00 to Trumbull Corp. for the purchase of returned materials for rehabilitation of 11th Street.

Also,

No. 1274 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of purchase of AS-1 Auto Sampler at cost of \$2,950.00 to be payable from Rapid Sand Filtration Trust Fund.

Which were read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 1275 Resolution providing for an agreement or agreements for professional services in connection with the design of Paulson Swimming Pool and providing for the payment of the cost thereof.

Also,

No. 1276 Resolution providing for an

agreement or agreements for professional services in connection with the design of the Renovation of the playground in Northview Heights and providing for the payment of the cost thereof.

Also,

No. 1277 Resolution providing for the letting of a contract or contracts for the Renovation of Various Ballfields; and providing for the payment of the cost thereof.

Also,

No. 1278 Resolution providing for the letting of a contract or contracts for the construction of a new swimming pool and park at Brookline Park; and providing for the payment of the cost thereof.

Also,

No. 1279 Resolution amending Resolution No. 534, effective June 18, 1980, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of basketball poles and backstops for the Department of Parks and Recreation, and for the payment thereof," by correcting the project code and by increasing the authorization.

Also,

No. 1280 Resolution providing for the letting of a contract or contracts for the repair of the Children's Zoo patio area; and providing for the payment of the cost thereof.

Also,

No. 1281 Resolution providing for the letting of a contract or contracts for the construction of a fire escape and related work at the Arts and Crafts Center, Mellon Park; and providing for the payment of the cost thereof.

Also,

No. 1282 Resolution providing for an

agreement or agreements for professional services in connection with the design, construction and installation of a nature display system at the Frick Park Nature Center and providing for the payment of the cost thereof.

Also,

No. 1283 Resolution providing for the letting of a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof.

Also,

No. 1284 Resolution providing for the letting of a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 1285 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: HERRON AVENUE; HANCOCK STREET; FLEETWOOD WAY and Block 26-J, Lot Numbered 37 in the Allegheny County Block and Lot System, 6th Ward.

Also,

No. 1286 Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Immaculate of Mary, Inc. for authority to construct a nine-story building to contain housing for the elderly with 70 dwelling units and parking for 14 automobiles on certain property located on the northerly side of HERRON AVENUE at the intersection of HAN-



COCK STREET, identified as Block 26-J, Lots Numbered 38 and 44 in the Allegheny County Block and Lot System, 6th Ward.

Also,

No. 1287 Resolution amending Resolution No. 732, approved June 30, 1978, as previously amended by Resolution No. 819 of 1978, and Resolution Nos. 699 and 806 of 1979, as to increase the amount provided in the Original Agreement (#23527-F) from \$1,542,300.00 to \$1,792,300.00; and further to extend the term of the Original Agreement.

Also,

No. 1288 Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, for the utilization of administrative and management funds allocated to the following programs; Neighborhood Development Program, Property Management (UR-80-01); and Neighborhood Development Program Administration (UR-80-10); and Planning and Management (UR-80-13).

Also,

No. 1289 Resolution amending Resolution No. 390, approved May 4, 1980, effective May 12, 1980, entitled, "Providing for an Agreement with St. Clair Athletic Association - Senior Citizens Council for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh", to include the Urban Redevelopment Authority as an administrative agent to the Agreement.

Also,

No. 1290 Resolution providing for an agreement or agreements with the Pittsburgh Architects' Workshop, Inc., for urban design services in connection with the City's Community Development Program and providing for the payment of the cost thereof.

Also,

No. 1291 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the property owned by Carl N. and Geneva L. Arter, in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-J, Lot Nos. 139, 142 and 150.

Also,

No. 1292 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and the Community College of Allegheny County for the sale of Block 174J, Lots 139, 142, and 150 in the 13th Ward of the City of Pittsburgh.

Also,

No. 1293 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh, and Andrew L. Poindexter and Grace Poindexter for the sale of Parcel 33 in the 5th Ward of the City of Pittsburgh in Redevelopment Area No. 32.

Also,

No. 1294 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh and Jeanine C. Bacon for the sale of Parcel 204 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1295 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh and John Crunkleton, John H. Crunkleton and Josephine Crunkleton for the sale of Parcel 60 in the 21st Ward of the City of Pittsburgh in Redevelopment Area No. 27.

Also,

No. 1296 Communication from Robert Lurcott, Director, Department of City Plan-

ning, requesting amendment of Council Bill 673 which authorized Messrs. Smith, Sproul and Toal to attend HUD sponsored Fair Housing and Equal Opportunity Meeting, Harrisburg, PA, April 20-28, 1980, by changing amount from \$800.00 to \$863.00.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1297 Resolution changing the name of Homewood Park Field, 13th Ward of the City of Pittsburgh to Willie Stargell Field.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Stone presented**

No. 1298 Resolution providing for an agreement or agreements with Urban Revitalization-Pittsburgh, Inc., effective August 4, 1980, for the implementation of a City Summer Youth Employment Program and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1299 Resolution providing for an agreement or agreements with Warner-Amex, Inc. (Warner Cable Vision of Pittsburgh) to provide classroom training and employment and training services for CETA

participants and providing for the payment of the costs thereof.

Which was read and referred to the Committee on Finance.

**Michelle Madoff:**

On that last bill that was just read, that's the Warner-Amex bill, is that correct?

**Mr. Perry:**

That is correct.

**Michelle Madoff:**

I had subsequently learned after the Mayor's meeting this morning, that there is an OIC Program that regulates this one, and I asked Melanie Smith if she would inform us of the percentage of people they anticipate hiring and at this point how? We had a talk with the people involved with the OIC Program and they are very disturbed. If they already have a program that is working, why are we starting another one? If indeed, we need another one because more people are working, I have no objections to it, but if they can handle it, it is something we had better look at.

Also, because of the time frame of vacations coming up, I thought it important that I mention it now and not wait until Wednesday. Now I have met with Mr. Robinson, perhaps he might look into some of that.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1300 Resolution providing for the

issuance of a \$2,472.67 warrant to Sanford Z. Stein in full settlement of claim for vehicle damage, and providing for payment thereof.

Also,

No. 1301 Resolution providing for the issuance of a \$1,444.78 warrant to Carol A. Cook in full settlement of claim for vehicle damage, and providing for payment thereof.

Also,

No. 1302 Resolution transferring \$300,000.00 from Code Account No. 45, Health Insurance, Municipal Employees, Department of City Treasurer to Code Account No. 41, Refunds, Real Estate Tax, Department of City Treasurer.

Also,

No. 1303 Resolution transferring the sum of \$1,000.00 from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to Code Account 1101, Supplies, Department of Personnel and Civil Service Commission.

Also,

No. 1304 Resolution transferring the aggregate sum of \$3,700.00 from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to the Employee Assistance Program Trust Fund, subject to reimbursement from Program grant funds.

Also,

No. 1305 Resolution transferring the sum of \$4,367.93 from CETA Trust Fund, Federal Funds to Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to reimburse the cost of CETA usage of the Zerox 3400 Copier Machine for the time period, August, 1979 through June, 1980.

Also,

No. 1306 Resolution providing for an

agreement or agreements with the County of Allegheny and the Private Industry Council for Pittsburgh and Allegheny County to enable Allegheny County and the City of Pittsburgh to share the joint costs of the establishment and operation of the Private Industry Council for Pittsburgh and Allegheny County and the Private Sector Initiative Program and providing for the payment of the costs thereof.

Also,

No. 1307 Resolution providing for an agreement or agreements with Plumbers Local Union No. 27 to provide classroom training for CETA participants and providing for the payment of the costs thereof.

Also,

No. 1308 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Richard Atkins to attend Office of Personnel Management Workshop on Ratings of Training and Experience Richmond, Virginia, at cost not to exceed \$600.00, payable from CETA Trust Fund, Federal Funds, August 26-28, 1980.

Also,

No. 1309 Communication from Mead Mulvihill, Jr., City Solicitor, submitting the report summarizing settlements of Claims not exceeding \$750.00 for the Second Quarter of 1980, payable from Code Account 1081, Petty Claims.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1310 Report of the Committee on Finance for July 16, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1097

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 651, Findings and Policy, Section 651.02, DECLARATION OF POLICY: Chapter 653, Human Relations Commission, Section 653.05, POWERS AND DUTIES: Chapter 659, UNLAWFUL PRACTICES, Section 659.02, UNLAWFUL EMPLOYMENT PRACTICES, Section 659.03, UNLAWFUL HOUSING PRACTICES, and Section 659.04, UNLAWFUL PUBLIC ACCOMMODATIONS PRACTICES, by prohibiting discrimination on the basis of age, handicap, disability, or the use of guidedogs."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, on Bill No. 1097, I'm not quite sure why that is in the Committee on Finance.

**Mr. Flaherty:**

I have a comment on that Mr. President, in regard to Bill No. 1097, which I am sure that we are all aware would empower the City Human Relations Commission to hear complaints from the aged and handicapped, I have had a few conversations with John Gabriel who is the Executive Director of the City Human Relations Commission, and he asked me to convey to this Council that the Commission is going to immediately start to hear complaints from the aged and the handicapped, but perhaps in the future there may be a strong need for extra staff. He said perhaps one and certainly no more than two people, so I just want to go on the record now alerting Council that at the appropriate time, when we have hearings on the budget for 1981, that this issue may arise.

**Michelle Madoff:**

Now I know why it is in Finance, thank you.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1193

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of \$2,906.78 in payment for repairs to a Smith Tapping Machine and providing for the payment thereof."

Which was read.

Also,

Bill No. 1194

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,218.00

in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1197

A Resolution entitled, "Resolution providing for the issuance of a warrant to Dolores E. Maletic, in the amount of \$6,000 in full settlement of claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 1198

A Resolution entitled, "Resolution providing for the issuance of a warrant to Martina Holmes, care of Andrew M. Schifino, Esquire, 20 Market Square, Pittsburgh, PA 15222, in the amount of \$1,000.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 1221

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Reserve Petroleum Company in the amount of \$6,002.55 for the emergency purchase of fuel oil furnished to the Pittsburgh Zoo without previous authority of law."

Which was read.

Also,

Bill No. 1222

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Boswell Oil Company in the amount of \$75,006.60 for the purchase of asphalt fur-

nished to the Department of Public Works without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 1311 Report of the Committee on Public Works for July 16, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1184

A Resolution entitled, "Resolution vacating a portion of LaMarido Street from Elmbank Street to a point 200'± west of Elmbank Street in the 19th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1186

A Resolution entitled, "Resolution further

amending Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, as amended by Resolution 622, approved July 6, 1979, effective July 10, 1979, entitled, 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith, creating Capital Funds, transferring Bond Funds to said Capital Funds,' by changing the title, Freeport Road; Turnlane to read Improvement to Chestnut Street Intersection."

Which was read.

Also,

Bill No. 1187

A Resolution entitled, "Resolution amending Resolution No. 316, approved April 18, 1980, effective April 25, 1980, entitled, 'A Resolution providing for a contract or contracts for improvements to the Chestnut Street Intersection, (PW 80-23), and providing for the payment of costs thereof, by redefining funding sources."

Which was read.

Also,

Bill No. 1188

A Resolution entitled, "Resolution amending Resolution No. 311, approved April 18, 1980, effective April 25, 1980, entitled, 'A Resolution providing for an Agreement or Agreements with Mackin Engineering Company for Consultant Services in connection with Design of the Spahr Street Pedestrian Bridge (79-16); and providing for the payment of costs thereof, by redefining funding sources."

Which was read.

Also,

Bill No. 1189

A Resolution entitled, "Resolution amending Ordinance No. 212, approved April 30, 1973, as amended by Resolution No. 437,

effective May 27, 1980, entitled, 'An Ordinance providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation for the improvement and construction of Legislative Route 257, Section 27T (Intersection of Steuben Street, Ingram Avenue and Woodmere Drive); Legislative Route 246, Section 37T and Legislative Route 76, Section 43T (TOPICS), and providing for the payment thereof; also, authorizing an Agreement between the Commonwealth of Pennsylvania and the City of Pittsburgh for the credit to the City of Pittsburgh of Three Thousand Nine Hundred Sixty One Dollars and Sixty Four Cents (\$3,961.64), which represents expenditure by the City of Pittsburgh for the purchase and storage of traffic and signal equipment to be used within the limits of the project', by correcting the project allocation to read Sixteen Thousand Twenty Seven Dollars and Seventy Two Cents (\$16,027.72)."

Which was read.

Also,

Bill No. 1190

A Resolution entitled, "Resolution amending Resolution No. 318, approved April 18, 1980, effective April 25, 1980, entitled, 'A Resolution providing for a Contract or Contracts for demolition and replacement of Radcliffe Street Bridge (PW 80-16) and related street improvements, including as may be necessary, the entrance on to private property for corrective work, slope easements, the grading of driveways and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, and providing for the payment of costs,' by redefining funding sources."

Which was read.

Also,

Bill No. 1191

A Resolution entitled, "Resolution providing

for a Contract or Contracts for the Replacement of Kirsopp Street Sewer (PW 80-27); and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson** presented

No. 1312 Report of the Committee on Planning, Housing and Development for July 16, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1233**

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Warner Cable Corporation of Pittsburgh for the sale of Parcel 1 in the Twentieth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley** presented

No. 1313 Report of the Committee on Public Safety for July 16, 1980, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1232**

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, by adding a new Chapter 611, Alarms, providing regulations for alarm systems in the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. O'Malley:**

I would like it known that Michelle Madoff put a lot of time and work into this bill.

**Michelle Madoff:**

I have an amendment, there is a section to be added, 611.10, this is from Mr. Dan Pellegrini and Mr. Mead Mulvihill, it states:

"This chapter will become effective ninety days after passage." Also, not for the amendment, just for clarification, for the record, I had questioned recourse, if somebody's alarm were removed after five calls, we decided to take it out, what recourse did the public have, and I was told that the local Agency Law, says he can appeal from any Administrative position. In this case, on a burglar alarm, the first appeal would be to the Superintendent of Police, presently, that is Superintendent Coll, the second would be to the Common Pleas Court.

**Mr. Givens:**

You have two motions on the floor.

**Michelle Madoff:**

I have only one motion, that is an amendment and I was just clarifying.

**Mr. Stone:**

That came from Dan Pellegrini?

**Michelle Madoff:**

And Mead Mulvihill, yes.

**Mr. Stone:**

Exactly that way?

**Michelle Madoff:**

They wrote it, it is in their writing.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Michelle Madoff** presented

No. 1314 WHEREAS, the proper disposition of the Conrail Station is vital to the entire Renaissance of the City and crucial to the future success of the City of Pittsburgh as a major convention center and

WHEREAS, the City must assure itself that the accepted bid will be compatible with the City's Master Plan, and be the most desirable plan for the location, encompassing in the plan not only the railroad station structure but also the Greyhound Bus Station and many acres of the neighboring strip district and

WHEREAS, the acceptance of a bid should occur only after review of the proposals of major developers of national and international reputation.

#### NOW, THEREFORE

BE IT RESOLVED that City Council requests Mayor Caliguiri to communicate directly with Mr. Edward Jordan, Chairman and Chief Executive Officer of Conrail, asking that the Mayor and City Council be a part of and input to the decision-making



process relative to the sale of the Conrail Station on Grant Street, Pittsburgh.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. O'Malley:**

What sale? To whom? Are we going to have an input with?

**Michelle Madoff:**

May I comment Mr. President? It has come to my attention through extremely reliable sources, who are very known to this body, they are friends of this whole City Council, that a very well known property developer who is highly successful is planning something to encompass the whole area. However, it appears that Conrail, because of bids that have been received, and perhaps restrictions on the one building, saying, "Well, if somebody comes in and meets our terms, we'll settle that in one entity and not care about the rest of the area", and it might not fit into the overall plan for the City. I think it would be very inappropriate for us to come back later and say, "How did that happen?" without at least acting. We can't mandate Conrail, although we may have some zoning input as to what can go into the area, so they might listen to us from that point of view as to what should go into that.

I am just asking that Council, or the Mayor, supported by Council, just ask that we have some input into that six year fund that meets with what we want to see in that developing area, along with Dravo, along with Oxford, and that it enhances the area and is not just some little Howard Johnson perhaps.

**Mr. Stone:**

I don't know that we could tell somebody that has a piece of property that we want to tell them how they can sell it and to whom they can sell it.

Secondly, I think the Mayor and his staff and the Economic Development of URA has already been in this particular field. I hesitate to pass the kind of resolution that indicates this way. If we are saying that we are encouraging the Mayor to investigate the possible disposition of this property as it shall fit into the Comprehensive Plan for the City of Pittsburgh, that is different. It seems —

**Michelle Madoff:**

That is exactly what I said, that is exactly what the resolution says.

**Mr. Stone:**

No. The way the resolution is now, it seems like we want to put our hand in somebody else's pocket, and I think you ought to get it out of there.

**Michelle Madoff:**

It does not. It says that the Mayor should have the opportunity to review, that it does say, with the City Master Plan. That is what it says, and that we should have a chance to support him.

**Mr. Stone:**

"We should be a part of and input into the decision making process".

**Michelle Madoff:**

If you care to re-word it in any way, shape or form, I am not married to the words, but I think you understand the intent.

**Mr. Stone:**

Well, let me do it this way — I'm not married to your words and as they are presently, you will not get my vote because they are not correct. We can't be always trying, as Legislators, we can't always be in the Administrative end of it. We object when the Mayor wants to be a Legislator,

and obviously he has a right to object when this Legislature wants to be an Administrator.

**The Chair:**

Well, Council obviously can't make a decision as to whether they want to have some input or not. I presume they do want to have an input, but I have to agree with Mr. Stone that if they don't want us in there that is something else, but like the kid who knew where the shiny penny was hid and no one else did, we have the last say, and obviously anything that is done in that area has to meet our approval. I presume that if we did ask for an input we would be given it and if we are not, we can still sit back and say, "Hey, if it's not done our way, it is not going to be done any way at all".

**Michelle Madoff:**

What happens if the Dravo Building had been sold to somebody who decided to run a riding stable up there and we decided that we didn't want a riding stable —

**The Chair:**

Then you wouldn't have had a riding stable.

**Michelle Madoff:**

One moment — and they take us into litigation for six years. What I am suggesting, is before we get ourselves into a position like that, as we did with the Aspinwall site for shopping centers, which happened long before I got here — all I am saying and I think it is being distorted by Mr. Stone, is that the City must assure itself, and I can just say, "assure itself", we can just change the language and say that the Mayor and City Council would have the opportunity to be sure that it would fit in with the City's Master Plan. I don't think that is unreasonable.

**Mr. Stone:**

That is the exact point I am making. This company has a private piece of property. We have no right to be a part of their decision making in it. Now, if we are encouraging them to work with our City of Pittsburgh towards some plan that may fit into the Comprehensive Plan, that is another thing, but trying to slide in behind the Mayor, this Council, telling them how to run their property is unconstitutional at its best.

**Michelle Madoff:**

I again say that is a distortion, I think the intent is very clear, the intent is that the Mayor would have the opportunity, and encourage the Mayor to be sure that before a decision is made on what will happen at Conrail, that the Mayor and Council assure itself it will fit in with the overall plan of the City, and I think it is nothing more than that and if there are any words you wish to slice of it, please feel free to do that, if you wish to re-word it, feel free to do that, but the intent is that something go into that area that will fit in, and not after the fact and we end up with litigation for a number of years.

**Mr. Coyne:**

Mr. President, I would be reluctant to be asking the Mayor to be in touch with anyone with regard to how to dispose of that parcel down there, to renovate it. I think if one thing has been clear in all the recent development projects in the City, it is that the Mayor and City Council have been asked and given previews of all the developments that have come down the pike and we have certainly been a part of those and I would expect that we could be a part of those, and I would expect that we would be a part of these in the same manner.

**The Chair:**

Before any further discussion, let us do it properly, we have a motion, let's have

a second and then we will continue discussion. Is there a second on the resolution?

Well, then if there is no second on the resolution, it is rather moot, it is not going to carry, so there is no further discussion. Thank you.

The resolution fails.

Also,

BILL No. 1315 WHEREAS, given the state of the economy, inflation, and the rising cost of operation expenses, the City is faced with the possibility of a tax increase to help offset these costs; and

WHEREAS, costs projected for Water Department operations will be an integral part of the City's overall rising expenses; and

WHEREAS, the City is currently underwriting a water rate deficit of approximately two million dollars, nearly 30% of the City's population; and

WHEREAS, the Chairperson of Council's Committee on Water deems the matter of a water rent increase worthy of pursuit.

NOW, THEREFORE,

BE IT RESOLVED, that the Chairperson of Council's Committee on Water hereby urges City Council to support a water rent increase of no more than 20% on bulk rates for the fiscal year beginning January 1, 1981 to help offset the rising cost of Water Department operations and the general operation of the City.

Which was read.

Michelle Madoff moved for adoption.

Mr. Stone:

This matter before us is a budget request, it should be brought up at that time.

Secondly —

Michelle Madoff:

Baloney, I brought it up two years in a row during budget time and you shot me down.

The Chair:

Michelle, Mr. Stone has the floor.

Mr. Stone:

I think it is premature —

Michelle Madoff:

It's always premature.

Mr. Stone:

I think if anything, it should be referred to the Finance Committee for deliberation at that time.

There are many things in this resolution that I am not prepared to sit with and that is talking about rising costs and we have to do this or we have to do that. I think at the time when budget deliberations are before us, at that time we ought to look as to what we have or what we don't have, where we can increase or decrease, and where we cannot overly impact certain portions when we are giving taxations.

The Chair:

Might I caution Council in the future, all motions or resolutions, first of all, must be approved and then seconded before discussion. We are doing it backwards here and we shouldn't

Mr. Stone:

You are correct.

The Chair:

Not to castigate Mr. Stone, but in the future, we are going to do it properly, therefore, is there a second to the motion to approve the resolution?

There being no second to the motion, the resolution fails.

**Michelle Madoff:**

Mr. President, I think it is important that it be a part of the record, that for two years running, I was a novice the first year and the second year I got sucked in and I will not be the third year. There is no way that I am going to permit Mr. Stone to tell me a third time that I was too late in bringing this matter up, and it should be before the budget period. We go on vacation in August, and I'm sure he and a lot of members of Council will be very busy in the election process come September and I'm bringing it up now, I want it on record that I brought it up now and if the Finance Chairman chooses not to look at it or to look at it at his convenience, so be it. But when we get to the point of raising taxes this year I'll be happy to remind the public that I brought it up very early.

**Mr. Stone:**

I'll be happy to remind the citizens of the City of Pittsburgh that some people have taken us \$8 Million in debt and didn't have the intestinal fortitude and lacked fiscal responsibility of finding ways to raise that money.

**Michelle Madoff:**

I've heard that garbage from your mouth seventeen times and its time it was answered. You have never once said do we vote on a bill, you conduct your hearing, like you did the other day like a Chinese —

**The Chair:**

That's all Michelle, you can take that up after the meeting. Mr. O'Malley has a resolution, read the resolution Mike.

**Mr. O'Malley presented**

Bill No. 1316 WHEREAS, Community Action Pittsburgh, Inc., has been in exist-

ence since 1965 and is the recognized anti-poverty agency in the City of Pittsburgh; and

WHEREAS, Community Action Pittsburgh, Inc., is the recipient of numerous federal, state, city and private resources so vital to the interests of low income community residents of the City of Pittsburgh; and

WHEREAS, Community Action Pittsburgh, Inc.'s goal and mission is to harness the necessary financial and human resources to address the causes of poverty in our society and advocate on behalf of low income people so as to impact the causes of poverty; and

WHEREAS, several thousand individuals in need of assistance, on a daily basis, are provided a variety of direct and indirect services from the CAP I Network; and

WHEREAS, since the passage of recent Community Services Administration (CSA) regulations clarifying the public sector composition, members of the Pittsburgh City Council and their designees have made every effort to participate fully in CAP I and will make every effort to continue to do so; and

WHEREAS, CAP I represents a truly diverse constituency representing a cross section of the Pittsburgh Community, all united in an effort to measurably impact the quality of life of low income individuals and families a unique contribution to the Renaissance efforts of our City and

WHEREAS, members of City Council or their representatives are presently participating on the CAP I Board of Directors;

NOW, THEREFORE

BE IT RESOLVED, that the Council of the City of Pittsburgh declares its support for the Agency in its efforts to continue to provide necessary services to low income resident of the City of Pittsburgh.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson:

Mr. President, if I might, in regard to Mr. O'Malley's resolution, I have a letter dated June 2, 1980 which I forwarded to the Mayor relative to this matter. This letter was sent to him in my capacity as Secretary of the CAP I Board and also as a member of Council. I would like to have the contents of that letter included in the public record.

The Chair:

Thank you Mr. Robinson.

MR. ROBINSON'S LETTER  
OF JUNE 2, 1980,  
RELATIVE TO CAP I BOARD:

William J. Coyne	Sophie Masloff
Tom Flaherty	Jim O'Malley
Richard E. Givens	Wm. Russell Robinson
Michelle Madoff	Robert Rade Stone

Pittsburgh, Pa.

June 2, 1980

Honorable Richard Caliguiri, Mayor  
City of Pittsburgh  
City-County Building  
Pittsburgh, Pa. 15219

Dear Dick:

This letter is to express my deep concern relative to the issue of Community Action Pittsburgh remaining the City's designated anti-poverty agency and the role that Government, local Government, should play in assisting this agency in moving in positive and constructive directions to participate in the development of Pittsburgh's communities.

As Secretary of the Community Action

Pittsburgh, Inc. Board and one committed to viable, sensitive community organizations I wholeheartedly support and recommend that CAP I continue as the designated anti-poverty/community development agency in the City of Pittsburgh.

With the proper assistance from our local Government, Mayor and Council, I am sure that CAP, I, will be the type of agency we all can be proud to have in Pittsburgh.

I would like to discuss this matter with you at length, and hope that input from community leaders would be sought also.

Yours truly,

William Russell Robinson  
Member of Council

End of Mr. Robinson's letter dated June 2, 1980.

Michelle Madoff:

Mr. President, two items. On Friday, at 10:00 o'clock, a.m., I received a call at my home, I had been very busy the day before getting 315 packages out in the mail, trying to get them to stay on that line — I received a call from Charlie Horn and from Mr. Manilies and they asked that I come down and meet with them because I had helped negotiate this agreement. The agreement was to take place at 2:00, there was an immediate order by Judge Papadacos, that they meet at 1:00, I really am not concerned so much that I get credit for it, but I am tired of reading the front pages dealing with bathrooms and not substantive issues and I would like that to be part of the record.

The Chair:

Well, while you are on that, I would like to make a statement that most of Council, to the best of my knowledge, were involved in that settlement and all took some sort of active role. Whether somebody got credit or not is beside the point. I

don't doubt that you may have been a little more active than some of the other members, but I do know for a fact that most Councilmembers were active and had given Mr. Manilis the assurance that if he didn't get what he thought he had coming down there that we weren't going to condemn that property and that would have been the ultimate, so I think that all of Council should take some credit for that deal.

**Michelle Madoff:**

I agree with you perfectly Mr. Chairman, and I'm going to tell Manny next week —

**The Chair:**

They weren't going to get approval from this Council, I'll tell you that.

**Michelle Madoff:**

U. S. Steel was going to sell it for capital gain and it was almost fouled up on Friday morning, I don't want to even get into the details, I think it is dumb, I just don't want to be regarded constantly as just dealing in non-substantive issues and I want that on the record.

One other item. Members of Council have received from me an itemized report on my visit to Washington, a letter from Pittsburgh National Bank's Bill Copeland who is Chairman of the Sub-Committee on the Allegheny Steam situation, an addendum which is going out to the users, urging them to stay on the steam heat lines so we can buy one year's time. Last Thursday we had a very interested party, who looks like perhaps they could pull the fat out of the fire and save the steam heat company, they seemed very interested, we had another meeting this morning, they are meeting again this afternoon at 2:30 p.m. and I think at some point, Council is going to have to get involved in some manner because there is just not enough refuse in the City to go into a solid waste plant, we are going to have to get some from the suburbs and some

from the City and we will be involved one way or another, we might even have to in some way, think of an authority, it might be sort of a last resort alternative, but it is something that we will be thinking of and I am sure that the media will be interviewing members of Council to have their viewpoints and I would very strongly suggest that you read the information.

**The Chair:**

Thank you.

Members of Council, before we depart, I don't know if you are aware, but probably most of you are, that a very disgraceful and regrettable thing happened at Three Rivers Stadium yesterday, and strangely enough this is the first ballgame I saw all week Michelle, and I happened to be there when the incident happened where somebody from the sixth level, I presume, threw an object down and almost hit one of the Pirate ballplayers, and if it had hit the player it would have killed him. Why someone would be that vicious and cruel I don't know, but apparently there are those types of people.

I only want to say that I have since been in touch with the Management of Three Rivers Stadium and they have assured me they will have some sort of roving patrols in those areas in the future and we have assured them that the employees of Local 508, of which I happen to be the President, will patrol a little better and hopefully will catch the culprit or culprits and see that they are prosecuted to the full extent of the law. I think you are aware that an object, regardless of how small, if thrown from such a height, if it hits a person in the proper spot, could kill him, and why anybody would want to do that, I don't know. Apparently there are those types of people and it may happen again, and let's hope we can catch the culprit or culprits.

**Michelle Madoff:**

Point well taken. You made a point of

---

saying that it was the first game that you had gone to, Michelle, and I think the next game you should take me.

**The Chair:**

I just wanted you to know it had been the first game I'd gone to all week, contrary to opinion.

**Michelle Madoff:**

I haven't gone to one yet if you would like to be my escort.

**The Chair:**

And I left right after the incident, and it was so warm I went out to have a beer.

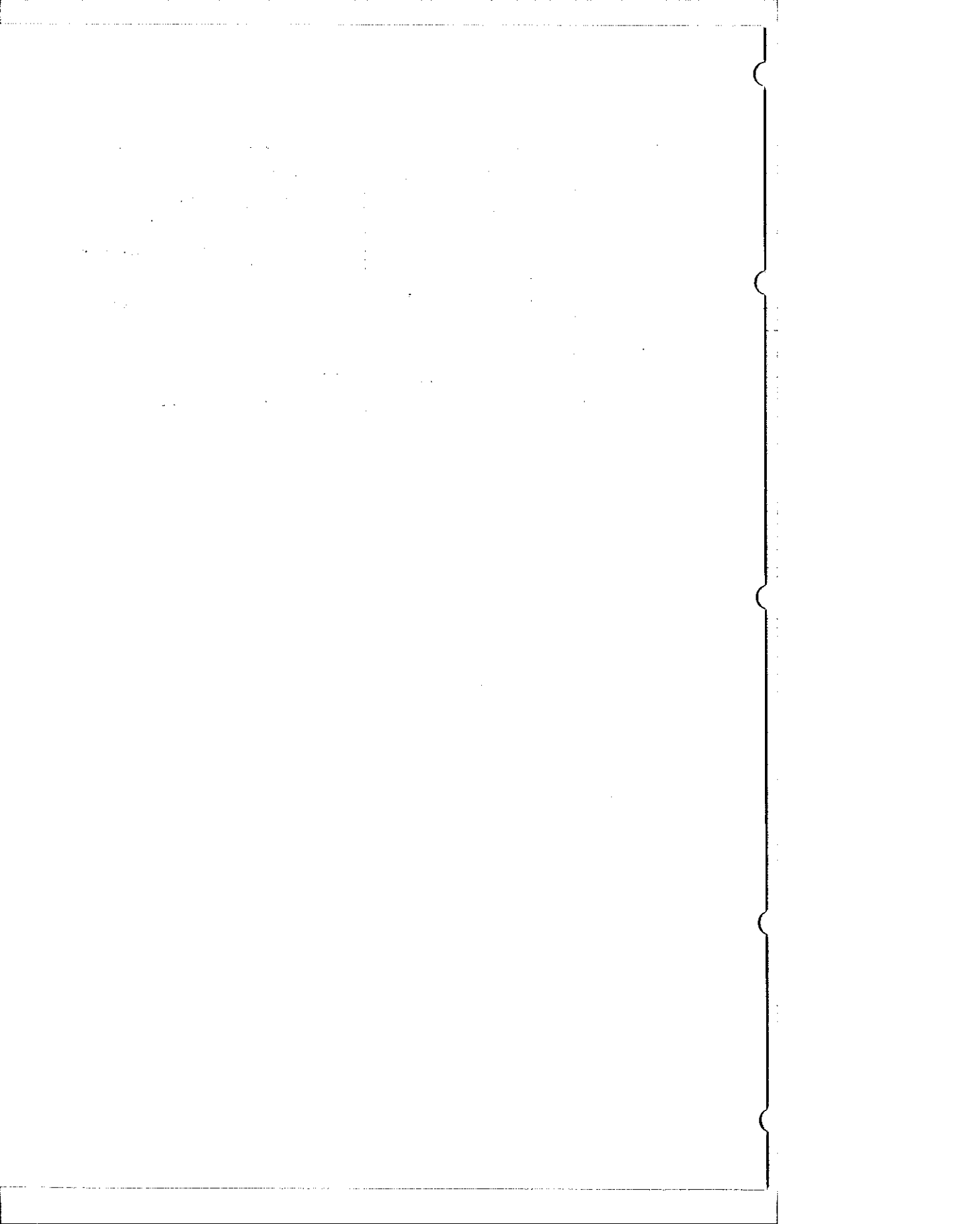
**Mr. O'Malley** moved to approve the minutes of Monday, July 7, 1980.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**,

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, July 28, 1980

No. 30

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.

Monday, July 28, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1317 Resolution providing for the issuance of a warrant in favor of Trumbull

Corporation in the amount of \$35,000.00 in payment for rental of equipment furnished for the benefit of the City in connection with snow removal services and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1318 Resolution providing for a contract or contracts for the Reconstruction of Pringle Street Storm Sewer and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1319 Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by adding contingent line items to the Capital Budget.

Also,

No. 1320 Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by increasing and decreasing various line items.

Also,

No. 1321 Resolution amending Resolution No. 596, approved June 27, 1979, effective July 2, 1979, entitled, "A Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road Slide correction (PW 79-03) and providing for the payment of the cost thereof", by increasing the allocation for this project from \$100,000.00 to \$175,000.00.

Also,

No. 1322 Resolution amending Resolution No. 728, approved August 17, 1979, effective August 22, 1979, entitled, "A Resolution providing for a Contract or Contracts for the Rehabilitation of the Larimer Avenue Bridge (PW 79-12); and providing for the payment of the cost thereof", by increasing the allocation to \$1,400,000.00.

Also,

No. 1323 Resolution amending Reso-

lution No. 1216, approved December 31, 1979, effective December 31, 1979, entitled, "A Resolution providing for a Contract or Contracts for the Wood Street Bridge Reconstruction (PW 79-17); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by increasing allocation from \$800,000.00 to \$1,250,000.00.

Also,

No. 1324 Resolution amending Resolution No. 348, approved April 21, 1980, effective April 25, 1980, entitled, "A Resolution providing for a Contract or Contracts for construction of an Asphalt Plant (PW 80-33)," by increasing the total allocation from \$1,400,000.00 to \$2,000,000.00.

Also,

No. 1325 Resolution providing for an Agreement or Agreements with a professional engineering firm for engineering services in connection with Mission Street Bridge West (PW 79-18) and Mission Street Bridge East (PW 79-19) and providing for the payment of costs thereof.

Also,

No. 1326 Resolution providing for Agreements with the Port Authority of Allegheny County for the design and reconstruction of Arlington Avenue and Warrington Avenue trolley lines.

Also,

No. 1327 Resolution providing for an Agreement or Agreements with a professional engineering firm for engineering services in conjunction with the Development of Bridge Construction Specifications and providing for the payment of the cost thereof.

Also,

No. 1328 Resoltuon providing for an

Agreement or Agreements with a Consultant or Consultants for Consultants Services in connection with the preparation of general specifications for bridges, roadway and sewer projects (PW 80-38); and providing for the payment of costs thereof.

Also,

No. 1329 Resolution providing for an Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalk and retaining wall (PW 80-30); and providing for the payment of the cost thereof.

Also,

No. 1330 Resolution providing for a Contract or Contracts for Nine Mile Run Sewer (PW 80-26); and providing for the payment of the cost thereof.

Also,

No. 1331 Resolution providing for a Contract or Contracts for West End Flood Gate Repair (CDPW 80-35); and providing for the payment of the cost thereof.

Also,

No. 1332 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boudry Street; and providing for the payment of the cost thereof.

Also,

No. 1333 Resolution providing for a Contract or Contracts for the furnishing and installation of a Chain Link Fence on the South sidewalk and approach of the E. H. Swindell Bridge over East Street and for the payment of the cost thereof.

Also,

No. 1334 Communication from Louis R. Gaetano, Director, Department of Public

Works, requesting permission for A. J. Kubit, M. Walsh, J. Pyptyk, J. Balzer, E. McGee, J. Brent, J. McNamara and W. Rogers to attend Institute of Transportation Engineering Convention, Pittsburgh, PA, August 18-21, 1980, cost not to exceed \$1,000.00, payable as follows: \$800.00 from Code Account 1502, Miscellaneous Services, Bureau of Engineering; \$200.00 from Code Account 1610, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1335 Resolution providing for the issuance of a warrant in favor of Navarro Corporation in the amount of \$3,292.00 in payment for curb ramps installed at the Central Branch Carnegie Library/Institute, and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 1336 Resolution amending Resolution No. 1227 of 1979, the 1980 Capital Budget, by creating a new Capital Budget, by creating a new Capital Project, LB 80-11, Vehicle Maintenance Garage, Department of Lands and Buildings, and transferring funds within the Capital Budget.

Also,

No. 1337 Resolution providing for an Agreement or Agreements with H. B. May-

nard and Company, Inc., Consultants for professional services in connection with a Vehicle Maintenance Garage Consolidation Study, and providing for the payment of the cost thereof.

Which were read and referred to the Committee on Lands and Buildings.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 1338 Resolution amending Resolution No. 1350 of 1978 Capital Budget, by providing for an additional appropriation of \$50,000.00 for Project No. LB 78-08 Renovations of Various Public Buildings, Department of Lands and Buildings.

Also,

No. 1339 Resolution further amending Resolution No. 474, effective May 29, 1979, as amended by Resolution No. 891, effective October 9, 1979, entitled: "Providing for a Cooperation Agreement or Agreements with Buhl Plantarium, a non-profit corporation, in connection with the removal of architectural barriers", by increasing construction contracts from \$120,000.00 to \$260,000.00.

Also,

No. 1340 Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with renovations at Hill House, Kaufmann Center and providing for the payment of the cost thereof.

Also,

No. 1341 Resoluiton amending Reso-

lution No. 565 (Item F), approved 6/25/08, for the sale of vacant land on Middletown Road, 20th Ward (71-R-222) to George W. & Mary E. Harshman, his wife. Amendment is to correct spelling of former owners' name.

Also,

No. 1342 Resolution amending Item (B) of Resolution No. 514, approved 6/11/80, for the sale of lot on Warrington Avenue in the 18th Ward, designated as Block 14-C, Lot 221, to William E. & Sharon Ann Mooney, his wife, for the sum of \$250.00. Amendment is to correct Plan Lot Number.

Also,

No. 1343 Resolution repealing Resolution No. 573, approved 5/30/80 for the sale of a 2 sty. brk. hse. in the 13th Ward, 7505 Finance Street, 175-B, 246-A, to Willie Boykins for the sum of \$850.00. Hand money (\$100.00) to be refunded to purchaser.

Also,

No. 1344 Resolution repealing Item (G) of Resolution No. 355, approved 4/15/80, authorizing the sale of property in the 16th Ward, being a vacant lot on S. 28th Street, 12-S-163 to Charles Malanowski for the sum of \$250.00. Hand money of \$100.00 is to be refunded to purchaser.

Also,

No. 1345 Resolution repealing Resolution No. 113, approved 2/16/79, authorizing the sale of property on 3605 Charlotte Street, 6th Ward, 48-M-35-A to Edward T. Marchewska, for the sum of \$600.00. Sale is to be repealed and hand money returned to purchaser.

Also,

No. 1346 Resolution repealing Item (A) of Resolution No. 1152, approved 12/21/79, for the sale of Lot on Bates

Street in the 4th Ward 29-B-145 to Linda Anne Swazuk for \$1,300.00. Sale is to be cancelled and hand money (\$130.00) forfeited.

Also,

No. 1347 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1348 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act P.L. 787 of 1937 as amended by Act No. 250, approved July 29, 1941.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 1349 Resolution providing for the issuance of a warrant to Jackson Welding Supply Company in the amount of \$5,027.05 for the emergency purchase of welding supplies furnished to the City Garage facility without previous authority of law.

Also,

No. 1350 Resolution transferring the aggregate sum of \$138,500.00 from and to Code Accounts within the Department of Supplies.

Which were read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mrs. Masloff presented**

No. 1351 Resolution transferring to the Department of Parks and Recreation's Code Account 1825, Wages, Swimming Pool Division, the amount of \$100,000.00 from Council's Contingent Fund, Code Account 42-2.

Which was read and referred to the Committee on Finance.

Also,

No. 1352 Resolution repealing Resolution No. 1154, effective October 13, 1978, entitled: "Providing for a contract or contracts on the use of existing contracts for furnishing and placing electrical equipment for the park and recreation lighting at Brookline Park and providing for the payment of the cost thereof."

Also,

No. 1353 Resolution repealing Resolution No. 247, effective April 11, 1980 entitled: "Providing for an Agreement or Agreements for professional services in connection with the design and construction of Dunbar Ballfield and providing for the payment of the cost thereof."

Also,

No. 1354 Resolution amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by changing the title of Project PR 79-05, "Magee Recreation Center; Additional Funds" to "Swimming Pools including Brookline and Highland Park Bathhouse", in the Department of Parks and Recreation.

Also,

No. 1355 Resolution amending Resolution No. 1229 of 1979, The 1980 Capital Budget, by providing for an additional appropriation of \$40,000.00 for Project PR 80-02, Phipps Conservatory, in the Department of Parks and Recreation.

Also,

No. 1356 Resolution providing for a contract or contracts or the use of existing contracts for the installation of concrete work; and providing for the payment of the cost thereof.

Also,

No. 1357 Resolution providing for a Contract or Contracts or the use of existing Contracts for the installation of Bituminous paving; and providing for the payment of the cost thereof.

Also,

No. 1358 Resolution providing for the letting of a Contract or Contracts for the installation of flooring at the Frick Park Nature Center; and providing for the payment of the cost thereof.

Also,

No. 1359 Resolution providing for a Contract or Contracts or the use of existing contracts for the installation of fence; and providing for the payment of the cost thereof.

Also,

No. 1360 Resolution providing for a Contract or Contracts or the use of existing contracts for the rehabilitation of various ballfields; and providing for the payment of the cost thereof.

Also,

No. 1361 Resolution providing for the letting of a contract or contracts for the Renovation of the West End Park Shelter; and providing for the payment of the cost thereof.

Also,

No. 1362 Resoluion providing for the letting of a contract or contracts for the

construction of Westwood Pool; and providing for the payment of the cost thereof.

Also,

No. 1363 Resolution providing for the letting of a contract or contracts for the renovation of the Highland Park Swimming Pool Bathhouse; and providing for the payment of the cost thereof.

Also,

No. 1364 Resolution providing for a contract or contracts or the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation; and providing for the payment of the cost thereof.

Also,

No. 1365 Resolution providing for a Contract or Contracts or the use of existing Contracts for the lighting of Various Tennis Courts; and providing for the payment of the cost thereof.

Also,

No. 1366 Resolution providing for a Contract or Contracts or the use of existing contracts for the lighting of Mellon Park; and providing for the payment of the cost thereof.

Also,

No. 1367 Resolution providing for a Contract or Contracts or the use of existing contracts for the rehabilitation of the Pittsburgh Zoo; and providing for the payment of the cost thereof.

Also,

No. 1368 Resolution providing for an Agreement or Agreements with various railroads for the design and construction of a railroad crossing at the South Side Riverfront Park, and providing for the payment of the cost thereof.

Also,

No. 1369 Resolution providing for an Agreement or Agreements for professional services in connection with the design of rest rooms at Quarry Field and providing for the payment of the cost thereof.

Also,

No. 1370 Resolution providing for an Agreement or Agreements for professional services in connection with the Aviary Feasibility Study and providing for the payment of the cost thereof.

Also,

No. 1371 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with repair of Various Facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof.

Also,

No. 1372 Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for reimbursements to the City by Allegheny County Institutional District for supplies and equipment expenditures in connection with the Senior Citizens' Program.

Also,

No. 1373 Resolution providing for an Agreement or Agreements for professional services in connection with the design of the Renovation of Phipps Conservatory and providing for the payment of the cost thereof.

Also,

No. 1374 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design of the Pittsburgh

Zoo and providing for the payment of the cost thereof.

Also,

No. 1375 Resolution providing for an Agreement or Agreements with the Pittsburgh-Allegheny County Cultural Alliance for the provisions of professional services in conjunction with the coordination of arts and cultural organizations, and providing for the payment of the cost which is not to exceed \$15,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 1376 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$2,575.00 for extra work in connection with renovation of Marmaduke Playground, Controller's Contract No. 24391.

Also,

No. 1377 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$2,592.35 for extra work in connection with plumbing contract at Magee Recreation Center, P-7607.

Also,

No. 1378 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$9,964.00 for extra work in connection with Magee Recreation Center, Controller's Contract No. 23860.

Also,

No. 1379 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$668.00 for extra work in connection with Magee Recreational Center, General Contract.

Also,

No. 1380 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,506.70, for extra work in connection with Schenley Park Oval Development, General Contract.

Also,

No. 1381 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,957.50, for extra work in connection with Schenley Park Swimming Pool and Bathhouse, Electrical Contract, Controller's Contract No. 22909-F.

Also,

No. 1382 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$832.00 for extra work in connection with Arlington Heights Recreation Center Renovation, Controller's Contract No. 24221-F.

Also,

No. 1383 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$6,064.10 for extra work in connection with emergency repairs to Ammon Recreation Center.

Also,

No. 1384 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$10,725.00 for extra work in connection with renovation of Phipps Conservatory, Controller's Contract No. 23150-F.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 1385 Resolution transferring the

sum of \$184,238.00 from Code Account No. 1443-2, Salary Transfer, City-County Identification System, to the City-County Integrated Identification System Project (C-CIISP) Trust Fund.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 1386 Resolution providing for an Agreement or Agreements with Hill House Association, located at 1835 Centre Avenue, Pittsburgh, PA, 15219, for the coordination of a census recount in various Community Development Neighborhoods, at a cost not to exceed \$2,500.00.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 1387 Resolution amending Resolution No. 313, approved April 18, 1980, effective April 25, 1980, entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the URA of Pittsburgh for the performance of certain work in connection with the 1980 (CDBG) Program, and providing for the payment of the cost thereof", by decreasing line item HD-80-19, Site Acquisition and Preparation for Assisted Housing from \$650,000 to \$630,000; and providing for the payment of the cost thereof.

**Mr. Stone:**

On this particular bill, maybe it needs



a comment. It is my understanding that we approved this bill, it went all the way through and they have found out since that they had omitted, or failed to observe a 30 day notice requirement, which means that before you could act on that bill there had to be 30 days notice before any hearing. That was not done, and as a result the bill is being re-submitted as a new piece of legislation to comply with that procedural question. I don't think we have to go back and be redundant about the importance of this leasing authority has to be done and the sooner we get to it we ought to get to it.

Now Mike, this is coming in now, and I will move now to waive Rule 8 on it. You sent a 30 days notice, that can be done possibly, if the Mayor is going to present papers on Monday when we come back, I think it is the eighth. That Wednesday should be a short agenda, so what we can do then is set it up for our Finance Meeting on Wednesday. We can recess to pick up at 11:00, this hearing, okay? Re-convene and act on it on the tenth.

Therefore, I move to suspend Rule 8 by providing for consideration of the bill only until and after the 9th calendar day following the meeting in which the bill was introduced so it will be on this Wednesday's agenda.

Michelle Madoff seconded the motion.

Which motion prevailed.

Mr. Givens:

Mr. President, I would like a point of clarification. What happened, normal public hearings advertisement is 14 days, I believe, is that not — or 21 days?

Mr. Perry:

Ten days.

Mr. Givens:

Okay, ten days. The State Assembly

enacted new legislation that the City of Pittsburgh was not informed of immediately, that to create any authority requires 30 days of notice for a public hearing, which made our last public hearing on this authority, the leasing authority, null and void. And so it was just one of these things that, if we would have been notified immediately we might have been able to catch it, but we were not and that is the reason for going through this again.

Mr. Stone:

Mr. President, I don't think I can let that pass. I think it is wrong to say it other than it was, it is a mistake, it is an error and let's label it that way, and let's get on with the business, but I don't think we should say that the Legislature changed some requirement after the changes, because that is not legally possible.

Mr. Givens:

Well, again, you know, if the State Legislature enacts a law, when do we receive it down here? We are not legal, so all the Administration is trying to do is to make it legal and conform to State Law, it is that simple.

Michelle Madoff:

Question — does that apply to any other hearing that we have?

Mr. Givens:

No.

Michelle Madoff:

In other words, the hearing on Hazelwood on the 29th? And the one on the 31st? That thirty day rule doesn't apply at all, only for authorities, is that correct Mr. Stone?

Mr. Stone:

When you are setting up an authority, it is special legislation.

**The Chair:**

It specifically reads for authorities. The legislation was on authorities, why would it concern any other hearing or any other matter?

**Michelle Madoff:**

No, the question I was asking Mr. President, was that new law enacted in Harrisburg only affecting authorities, or did it affect all public hearings, does anybody know?

**Mr. Givens:**

Only the authorities.

**Michelle Madoff:**

Is that correct Mr. Stone?

**Mr. Stone:**

To my understanding.

**The Chair:**

In other words without legislation we don't have the power to create an authority, they had to enact that legislation.

**Mr. Givens:**

We might direct the Chief Clerk to look into that specific legislation where it might be a little bit more encompassing than just the authorities, it might affect other things within Council itself, I think Michelle has a valid point there.

**Michelle Madoff:**

It is my understanding that because of the Sunshine Law, there has been some new evaluation of public notice and how public notice is given which is one of the reasons as you know, we now go to display ads on items of special importance and we don't put them where they normally are on the legal page, but perhaps next to the funnies or the television page where people might see them.

I don't know, I accept Mr. Stone's word and I think it might be just a case where we are all human, we can make mistakes — even Mr. Stone can make a mistake — just to be sure that it doesn't affect any other hearings because we have two scheduled this week.

**The Chair:**

You see, if we didn't have the Sunshine Act we couldn't be mis-quoted, which is done quite often by both newspapers in this town.

**Mr. Stone:**

Mr. President, I would just like to clear something — you know some people have diarrhea of the mouth —

**Michelle Madoff:**

Some people have lockjaw of thought.

**Mr. Stone:**

... they talk too much and go to far —

**Michelle Madoff:**

And you certainly are one of them.

**Mr. Stone:**

... I don't know where we come into this matter, trying to place the blame on this Council for this particular piece of legislation —

**Michelle Madoff:**

Nobody was placing the blame on the Council.

**Mr. Stone:**

At this particular point I just want it clearly understood that there was an error made by the bond counsel in this case, but we have to get on with the business and we'll just leave it at that without any more editorializing.

**Michelle Madoff:**

Set a good example for the rest of us.

**The Chair:**

Okay let's get on — first of all, there is quite a bit of confusion here, the only legislation as far as I know enacted, and Mr. Givens brought it to my attention, is on the authorities, and why we are kicking all this other stuff around, I really don't know.

**Mr. Stone:**

I agree.

Also,

No. 1388 Resolution amending Resolution No. 661, effective July 25, 1908, entitled, "Providing for an Agreement or Agreements with the Central North Side Neighborhood Council for the implementation of a Technical Services Program for the North Side Tenants Reorganization at a cost not to exceed \$20,000.00 and providing for the payment of the cost thereof", by establishing a new line item for which these funds are to be used, and providing for the payment of the cost thereof.

Also,

No. 1389 Resolution approving a form of contract for Disposition of Land by and between the URA of Pittsburgh and Cole, Montgomery & Rust, Inc. for the sale of Parcels 1, 2, 3, 4, and 5 in the 25th and 26th Wards of the City of Pittsburgh in Redevelopment Area No. 36.

Also,

No. 1390 Resolution providing for the acquisition of Jacob Wohlhendler for public park purposes, certain property at 1200 East Carson Street in the 17th Ward of the City of Pittsburgh pursuant to the public space improvement portion of the City of Pittsburgh's Neighborhood Commercial Improvement Program.

Also,

No. 1391 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Evan Stoddard to attend Information Workshop on 1980 Census Follow-up Conference, Baltimore, MD, July 24, 1980, at a cost not to exceed \$230.00, payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 1392 Resolution authorizing the issuance of a warrant in favor of "Police Recruit Training", Pittsburgh National Bank, Special Trust Fund No. 2, in the amount of \$5,165.55 as reimbursement for monies inadvertently deposited in the General Fund, "Miscellaneous Not Otherwise Classified". This payment to be chargeable to and payable from Code Account No. 43-1, Refunds, Fines, Etc., General Fund.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1393 Resolution authorizing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority, adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members, and repealing Resolution No. 652, effective July 18, 1980.

Which was read and referred to the Committee on Finance.

Also,

No. 1394 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, by adding Section 221.07, Lock Box System, and Section 221.08, Holding Account.

Also,

No. 1395 Resolution transferring the sum of \$5,000.00 between Code Accounts within the Department of the City Controller.

Also,

No. 1396 Resolution transferring \$820,000.00 from Code Account No. 45, Health Insurance, Municipal Employees, Department of City Treasurer to Code Account No. 57, Social Security Fund, Department of City Treasurer.

Also,

No. 1397 Resolution transferring \$5,500.00 from Code Account No. 50, Re-funds, Sewage Charges, Department of City Treasurer to Code Account No. 43-1, Re-funds, Fines, Etc., Department of City Treasurer.

Also,

No. 1398 Resolution providing for the filing of an application by the City of Pittsburgh with The White House Veterans Coordinating Committee for a grant in connection with Veterans Outreach and Community Services Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Veterans Outreach and Community Services Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in con-

nection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 1399 Resolution providing for an Agreement or Agreements with Hill House Association for the administration of the Veterans Outreach and Community Services Project; and providing for the payment of the cost thereof.

Also,

No. 1400 Resolution amending a portion of Resolution No. 570, approved June 25, 1980, entitled, "Providing for an Agreement or Agreements with Educational Communications Institute for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof.

Also,

No. 1401 Resolution providing for an Agreement or Agreements with a consulting firm for professional services in connection with the development of an Indirect Cost Schedule for submission to the Federal Government; and provides for the payment of the cost thereof.

Also,

No. 1402 Resolution providing for an Agreement or Agreements with Johnson and Higgins of Pennsylvania, Incorporated, for professional services in connection with the Municipal Pension Fund, Policemen's Relief and Pension Fund, and Fireman's Relief and Pension Fund; provides for the payment of the cost thereof.

Also,

No. 1403 Resolution providing for a Supplemental Agreement with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's

Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion.

Also,

No. 1404 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title II, Part B. and providing for the payment of the costs thereof.

Also,

No. 1405 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Barbara Combs to attend Regional Opportunities Industrialization Center, Inc., Conference, Charleston, W.VA., August 10-13, 1980, cost not to exceed \$500.00, payable from CETA Trust Fund, federal funds.

Also,

No. 1406 Communication from John H. Bingle, Jr., President, Civil Service Commission, submitting 1979 Annual Report of the Civil Service Commission covering the period of January 1, 1979 through December 31, 1979.

Which were severally read and referred to the Committee on Finance.

**Mr. DePasquale** presented

No. 1407 Petition from Birmingham Union and residents of the City requesting a public hearing on the demolition of Morse School.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone:**

Mr. President, if I may, I notice today there are a large number of bills and if this

were the beginning of the year it would be most impressive, but it is August of 1980, seven months have passed. August is almost going to be shot by the time all these are through. We have then September and October, and we will be lucky if we get any part of November of 1980, so for all intent and purposes, these bills are not going to be 1980 bills, but rather 1981. I think the most glaring portion of it all is in the Parks and Recreation Department. This particular Department has had perhaps the worst performance record of any of our departments in the last five years. Yearly there have been unexpended funds, and this obviously is a denial of planned services for our citizens and now we have more of the same — projects which were discussed by the Administration in as early as June of 1979, which came in a written form to Council in November, November and December Council discussed them and they won't start prewinter, they won't start probably until May, if that, of 1981.

I noticed today as well, that there are a lot of bills in that particular Department requiring "extra work". I have asked Eddie Albert to look into that matter to see why some of those things weren't in the original — or to see if they were in the original bid or scope of work, and if not, why they were not included and why they are being added now. I think there is a total lack of understanding of what budget is relative to that particular Department. We don't have an open-end budget for this kind of thing and as I am seeing here, the City of Pittsburgh is being denied that value because of these bills coming in so late here and here we are, as I said, eight months after, for projects that were supposed to be completed in 1980 and they will never see 1980 completion.

**Michelle Madoff:**

Question — Mr. Stone, is it conceivable that in the Water Department, Public Works and the Parks Department and many other departments that the work wasn't put out because then we don't spend the money, we don't have to increase the

budget next year when someone is running for re-election?

#### UNFINISHED BUSINESS

**Michelle Madoff:**

I was not at the Mayor's meeting this morning and I noticed there is a bill that was introduced, Mr. Stone commented on the census, and that if the census were done properly that it would have a different impact on the income or the revenue that the City will receive. I will not be here and I know Council will be heartbroken to hear that, from the end of the week until Labor Day. I am going to take a much needed rest.

**Mr. Givens:**

Try Thanksgiving.

**Michelle Madoff:**

"Jeep" we're not telling everybody you are coming to visit me, are we? Two bedrooms.

Now I have some information, that, at the end of the meeting I would like to share with Council on the census, unless you think this is the appropriate time.

**The Chair:**

We should do that at the end of the meeting under Motions and Resolutions.

**Michelle Madoff:**

It is not a motion or resolution, but it is very important information.

**Mr. Givens:**

Okay.

#### REPORTS OF COMMITTEES

**Mr. Stone presented**

No. 1409 Report of the Committee on

Finance for July 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1151

A Resolution entitled, "Resolution further amending and supplementing a portion of Resolution No. 1230 of 1979, as amended by Resolution No. 65, approved February 15, 1980, entitled, 'A Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1980 and ending December 31, 1980', by adding a new Code Account to the Water Fund operating budget."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 1165

A Resolution entitled, "Resolution providing

for the issuance of a warrant to Joseph L. Jones, 230 East Jefferson Street, Pittsburgh, PA 15212, in the amount of \$1,250.00 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1210

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Howard Hanna in the amount of Four Hundred (\$400.00) Dollars in payment for an appraisal furnished for the benefit of the City in connection with Crane Avenue Street widening; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1211

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Howard Hanna in the amount of One Hundred Fifty (\$150.00) Dollars in payment for court testimony and property reinspection furnished for the benefit of the City in connection with Mifflin Road; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1235

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, Pennsylvania 15222, in the amount of \$546.25, in payment for numbering and repairing Police badges furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1236

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$495.00 in favor of Firefighter Edward McDonough, Engine Co. No. 32, 14th Street and Penn Avenue, Pittsburgh, Pennsylvania, 15222, for purchase of a heavy duty scrubbing and polishing machine without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1266

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Central Nebraska Packing, Inc., in the amount of \$2,322.00 for the purchase of feline food and birds of prey diet furnished to the Pittsburgh Zoo without previous authority of law."

Which was read.

**Michelle Madoff:**

On Bill No. 1266, I am abstaining. I had asked that we look into a program of adopting an animal to save the City some thousands of dollars a year — I was given a letter saying that was a very good idea, we are looking into it and then got a subsequent letter saying, "We used to do it once, but I don't know what happened to it", and until I know what is happening, I am going to abstain on this bill.

**Mrs. Masloff:**

On that "Adopt An Animal" program, that has been in effect for two years, Mr. Hayes tells us that it is in effect as of this moment in the Parks.

**The Chair:**

Excuse me, are we talking about Bill No. 1266?

**Mrs. Masloff:**

No, I am just answering the question regarding the "Adopt An Animal" program.

**The Chair:**

According to Bill No. 1266, we are buying food for feeding some animals at the Zoo.

**Michelle Madoff:**

For the Zoo.

**The Chair:**

What does that have to do with adopting an animal?

**Michelle Madoff:**

In some cities — they feed them — school classrooms adopt animals and they feed them, they pay for the food by the year, and if we have a program that is doing that and we still are subsidizing at \$20,000 a year, the program stinks and we'd

better get it into the public eye and we'd better improve it.

**The Chair:**

I still don't see anything in this bill about adopting an animal.

**Michelle Madoff:**

Somebody ought to adopt some of the animals on this Council.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8 Noes none

(ONE ABSTAINING —  
MICHELLE MADOFF)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1267

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Win-Son, Inc., in the amount of \$18,000.00, for the emergency purchase of an aired cooled compressor for the Fire Department purchased without previous authority of law."

Which was read.



**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1271

A Resolution entitled, "Resolution transferring \$165,500.00 from Code Account 1700, 1795 and 1796 to Code Account 1792."

Which was read.

Also,

Bill No. 1298

A Resolution entitled, "Resolution providing an Agreement or Agreements with Urban Revitalization-Pittsburgh, Inc., effective August 4, 1980, for the implementation of a City Summer Youth Employment Program and providing for the payment of costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1299

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Warner-Amex, Inc., (Warner Cable Vision of Pittsburgh) to provide classroom training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

Mrs. Masloff:

Mr. President, I move to amend Council Bill No. 1299 to delete Warner-Amex, Inc., and to add, "Warner Cable Corporation of Pittsburgh", Warner Cable Corporation of Pittsburgh is the name of the local corporation with which the contract will be made.

I also want to read into the record a letter from Warner Cable Corporation dealing with this same bill.

If you will bear with me I want to read this portion of the letter which says:

"When Warner Cable Corporation of Pittsburgh submitted its proposal for the cable television franchise of the City of

Pittsburgh on October 25, 1979, it was clearly stated that Warner Cable would implement a proposed recruiting and training program with Bidwell, Inc. Since Warner Cable has become the City's cable television franchisee, we are in the process of implementing all facets of that proposal.

I would like to emphasize the following:

Warner Cable Corp. of Pittsburgh will receive no monies from either the City of Pittsburgh or under the CETA Program. Warner Cable is the legal conduit between the City's CETA Program and Bidwell, Inc.

Section 12.6 of the City's Request for Proposals asked that each applicant for the franchise describe its plans and policies for training programs, 'including specific plans and policies that will assure representative participation of minority persons and women business enterprises in such programs.'

Warner Cable's Proposal said we would recruit and train approximately 20 installers and customer service technicians under a proposed program which was being designed by Warner Cable to be implemented through Bidwell, Inc. It was stated in Warner's proposal that 'When the program has been finalized, Bidwell, Inc., and Warner Cable plan jointly to approach CETA for funding a portion of this program.' Now that Warner Cable is the franchisee, our commitment is to hire the successful graduates of this program.

As an extension of the bidding process, Warner evaluated its own technical requirements against the specific strengths of the Bidwell organization and found that Bidwell was fully competent to meet our needs. Specifically, the caliber of staff and facilities lent itself to the technical training needs for a QUBE (two-way interactive) cable system.

Our program with Bidwell will provide up to 90 jobs for the City of Pittsburgh resident. This is a unique and historic commitment. To my knowledge, this is the first time that an employer has guaranteed pub-

licly to hire individuals who have successfully completed publicly-financed training.

Additionally, we have opened our employment doors to graduates of the OIC Program, as we stated in our proposal. Three OIC graduates are currently employed; and as we grow, there will be needs for technical employees irrespective of where they were trained.

I trust that the record is now clear that: (1) Warner Cable is not receiving any taxpayer's funds; (2) we were not and are not co-opting any existing program; (3) the program as now structured with Bidwell guarantees the direct employment of as many as 90 installers and customer service technicians under its initial phase; and (4) our capability for on-going hiring is not limited to just those participating in a one or two year program."

**The Chair:**

Thank you Sophie.

**Michelle Madoff:**

My turn? I am the only person abstaining pending the need for more information --

**The Chair:**

One moment -- there is a motion on the floor, do we have a second?

**Mr. Stone:**

I second the motion.

Which motion prevailed.

**Michelle Madoff:**

I didn't know it was an amendment, I thought it was just information for the record.

**Mrs. Masloff:**

Well, I made an amendment first changing the name:

**Michelle Madoff:**

As you know, I am abstaining because I feel I need more information. I have been a long time advocate of monies that come to this community for CETA: dollars not being used for gophers, not being used to create donut makers in Turtle Creek where there are no jobs, or beauticians, hundreds of beauticians where there are no people to hire them, not just youngsters who will go out and clean streets when it is off season. I don't mind during the summer when they make money and it is a marvelous program, so that they can have some spending money — but the CETA concept, and the reason the Congress and the Senate is having such difficulty, and the reason we are being cut back on funds, is the money isn't going into programs such as this where we are guaranteeing jobs.

Now one of the things that I was not informed as of on a plus side, was that I was not aware that part of the contract between Warner and the request for proposal and signing the contract, was that indeed Bidwell and Warner would indeed seek CETA funds for a program, it did not say OIC, it said Bidwell, so I can accept that. However, I asked for the section of the document, of the contract to be pulled for me and under Section 2.6, referring to the Warner Corporation of Pittsburgh developing a preliminary plan to recruit and train approximately 20 installers and customer service technicians for employment in the Pittsburgh system, etc., etc., and it goes on, "we have developed a three month program for training installers and a six month program for training customer service"— the thing that we have been remiss in this Council, not only with this contract, but in a lot of things that we have allocated in dollars in training of many other items, school guards and technicians and so on, it says in this particular section, which surprised me, when the program has been finalized Bidwell and Warner Cable plan jointly to approach CETA for funding a portion of this program.

"We anticipate that graduates of the

Warner Bidwell Program will be utilized as employees of Warner Cable Corp. of Pittsburgh",

here comes the goody:

"employees of nearby Warner Cable Systems operation in Canton, Akron, Youngstown and Ohio"

in other words — dollars coming to CETA through the Pittsburgh dollars could very well be used to train people to go to Akron. Dollars coming through Pittsburgh money for OIC training could train somebody who would then go to Crafton to work and say, "Why don't I move to Crafton?" And Lord knows we've got 30% tax exempt properties, we are carrying a tremendous burden for the bedroom communities who feed off of the City and I think somewhere along the line, I think all of us, were not aware of this, that we ought to look at the contract and say, "will that contract guarantee that the people will have the first opportunity: a. to be hired in Pittsburgh, not in — I believe I am not sure, but I understand that Warner is in other places other than Akron, Canton, Youngstown. Do they have one in California? Maybe they will say to some young person who has never been away from home, who has lived in the "Hill" all their lives, "We are trained now, but you are number 90, how would you like to go to California?" They say, "Whaa?" And I am concerned — or to Alaska or something. I am very concerned that the CETA dollars coming to the Pittsburgh area are used for people that generate work for Pittsburgh people and I would think that most of Council would agree with that.

I also would like to see somebody approach the County and say, "How about some dollars for the OIC Program?" not to teach people to make donuts, but to — really put some \$2 Million into an OIC Program to train people who will be employable in the Cable field in the immediate County area. We have enough unemployment in this area and I think I am making a very valid point and I would like to make that as a motion, that the contract guaran-

tee the first choice of jobs would be in the City.

**The Chair:**

I think the purpose of the program would be to train Pittsburghers for positions, I wouldn't expect them; or hope they wouldn't leave the City, but obviously if they are going to be trained by Warner and they are Pittsburghers, perhaps they may assign them to some other cities, I would hope not —

**Michelle Madoff:**

Well then they should reimburse us.

**The Chair:**

Just in case, Sophie —

**Mrs. Masloff:**

Well, of course the first shot is Pittsburgh, Pittsburgh will take all they can, but you can't stop anybody from going to California if they want to work for Warner.

**Michelle Madoff:**

That is not what I am saying, and I'm going to have — I don't think Sophie is deliberately misinterpreting, perhaps I am not being clear.

**The Chair:**

We are talking about training 20 people, when they qualify, does Warner have positions for those 20 here in Pittsburgh?

**Mrs. Masloff:**

Yes, right.

**Michelle Madoff:**

Then there will be another problem.

**The Chair:**

You are saying that they themselves

may opt to go somewhere else after they get the training.

**Mrs. Masloff:**

If Warner offers them something else.

**Michelle Madoff:**

Well, everybody has the freedom of choice to go anywhere they wish. I could go back to Canada and this Council would be thrilled. That is not what I am talking about.

**Mr. Stone:**

I was about to agree with that statement.

**The Chair:**

And what did the poor Canadians do wrong this week?

**Michelle Madoff:**

Then of course Mr. Stone couldn't run against me for Mayor and he'd be so disappointed.

But getting back to the issue at hand.

**The Chair:**

Trudeau has got enough trouble, you just stay right here.

**Michelle Madoff:**

But back to the issue at hand, I would like to see all contracts, where City CETA monies are used, have some kind of legal language that says that the first option of jobs would be to Pittsburgh employees. Not that they train, Mr. DePasquale, perhaps some people on the OIC Program, or the Warner Program, you see this is this first 20 people we are going to train. They say they need 90 or they are going to need perhaps a couple of hundred eventually because some people will work out and some people won't. If CETA money is going to be

used to train them I don't want the allocations of CETA dollars being used to train people, to generate taxes in other communities. First shot should be in Pittsburgh and that should be incorporated in the legal language. That doesn't permit anybody, once they wish to leave, to go somewhere else.

**The Chair:**

I think that rather than get into such a hassle and it looks like it is going to continue, maybe we ought to just forget the whole matter, because if we are going to have this kind of thing, of someone saying they are going to train them and send them out of town, then obviously that is wrong. I doubt if it is going to happen, I hope it wouldn't happen.

**Michelle Madoff:**

Mr. DePasquale, I read it from their own contract, it says, "the employees of the nearby —

**The Chair:**

I can understand your point, if Warner wants to train people and send them to the moon, let them pay for it and I agree with you, I don't think CETA money should be used for that.

**Michelle Madoff:**

That is what I am saying, if they are going to go to Canton, Akron, Youngs- and they need people, let them pay for it.

**The Chair:**

I don't know legally if we can insist upon it, maybe you can make the request, if you are going to pass this ordinance, I doubt if you can pin them down to that kind of thing. You can make the request obviously, I don't think legally you can do it.

**Mr. Givens:**

I would like to make some comments

regarding Michelle's comments here.

Michelle is very concerned about CETA money and how it has been used. I think this Council has been on record for some time as surely concerned about how CETA money has been used. We have criticized the Administration, we have criticized some programs within this. CETA is to foster this type of jobs, we know that we are not doing the best, but we are doing a hell of a lot better than a lot of other cities have been. We know that the CETA Program to some degree has been abused, but again, is a training program, it is not a program this Council has gone on record — CETA to hire somebody off the street for 18 months and then throw them back on that same street without any skills involved. It is training, and if we don't train then we are defeating the purpose of it and that is what Michelle is trying to indicate.

This Council again, I might say, has been on record — this Councilman has been on record for a long time to get with our CETA Program. I think we were making, on various boards and commissions and authorities that I sit on, tremendous ground with labor, industry and the corporate structure in employing people through the CETA Program in the City of Pittsburgh.

**The Chair:**

Is there any further discussion on the bill?

**Michelle Madoff:**

I have a motion that this go to the legal department to see if we can have some language put in that would guarantee, not only on Warner, not only on this contract, but we voted last week on a contract that CETA monies would go to train people. I want to know those people will have the first opportunity to work in the Pittsburgh area, that we won't send them out of town.

**Mr. Robinson:**

Point of information, this Council is already on record by way of resolution of exactly what you just said.

**The Chair:**

We are?

**Mr. Robinson:**

Yes sir.

**The Chair:**

When did that take place?

**Mr. Robinson:**

I introduced a resolution about a month ago.

**Michelle Madoff:**

Then why don't you second this one?

**Mr. Robinson:**

Because we already have a resolution to that effect.

**Michelle Madoff:**

But obviously, they are going ahead with this contract to train people for their own needs to send them to Akron or wherever they want to send them.

Then you are saying this should be incorporated as part of your agreeing with me in effect.

**Mr. Robinson:**

I've said that all along.

**Michelle Madoff:**

Then you are in effect, this should be part of the signing of the contract, that not only the first 20, because we know they will take the first 20, they will probably take the second 20, but what happens when we get to the next 20 and they say, "Well, I don't like these people, we'll send them to Akron, we're not ready yet, we'll send them out to California".

I want to know that CETA monies which are very limited, coming to the Pittsburgh area are going to be used to train our own unemployed people and give them the chance to remain in the community and be taxpayers.

**Mr. Stone:**

Mr. President if I may, you know I am a little at a loss to understand some of the play that we are having on these words relative to this matter. Relative to this particular situation it was brought out last week that the need is greater than the supply and it is quite obvious that those who go through this training who live here want to stay here, there will be employment for them. It is a built-in practical control, but at this particular time, that solves the whole problem.

But in addition to that, I for one would like to point out that since this contract was awarded to Warner, I think they have attempted to be more than fair in carrying out their obligation. They have tried to expedite the program and relative to this particular issue at hand, I think they are overly sensitive, maybe because they made a commitment in their proposal that they were going to take Bidwell — they made a commitment to Bidwell that if they got the award that they would give it to Bidwell. Maybe that credibility affects them and they are concerned about it, but I think they are being overly sensitive on this particular issue and I don't know that it needs any response. But I would just like to say at this point — this Council has been on record time and time again ever since CETA came to the City of Pittsburgh, that rather than setting up training schools to train people for corporations to hire or business companies to hire, that maybe it is time, because we have so much supervisory problems, that we attempt some sort of on the job training program and that they would be there for a year and eventually be hired by that company. That seems to have a lot more sense, than always attempting to train and — remember those words of Swampman Williams, where we train them and

then we send them to another training school and we send them to another training school, so at the end of that they can go on unemployment compensation. I think the end road is that somewhere along the line they get employment and this is what Council wanted done, was what we thought was the best way to spend the money and this is the closest thing that has come to it and I don't know why it has taken so much of a rough road to get there, Warner is trying to carry out what they should be doing, whether they got the contract or didn't this is the closest thing to accomplishing what Council has been on record for for the last five years and that is finding someone in some training, having something to do to define what that training program will be so that they can fit into a job that they eventually have for them. What more do we want from them? I think we ought to get on with passing this bill so we can get some people employed.

**Michelle Madoff:**

Mr. President, point of clarification. I don't think there is anybody here that disagrees with what Mr. Stone said except for one statement. I think he meant putting people as gophers in on-profit organizations where they are not trained and they are not supervised, he said industry. Perhaps if we had an apprentice program because during my father's era and perhaps during yours Sir, they didn't go to college, there was no money to go to college and how did they learn something, they went to work for somebody and they were apprentices and they learned a trade or a skill and they got some work, I think that is the kind of thing we all agree needs to happen. I have no quarrel with the \$38,000 that Bidwell will get, I think it should be a half of a million dollars, but I also think it ought to go to the OIC and we ought to stop putting people, as our Personnel Department does, somehow, can't seem to get around to our Mayor, has not gone to make himself a hero in Washington which I would like to see him do, and say, "Don't give me the \$40 Million to find out whether people will go to work as heads of house-

holds to develop a work ethic, as opposed to staying home for more money on welfare", for forty cents I can tell you that. What we need are programs, as Mr. Stone and all of us agree, where people will have skills. The issue before us is not that we disagree on that particular point, the issue before us today is that after these 20 people are trained will there be more monies put into meaningful programs like this put into the OIC Program who was not as well subsidized, and that should come from the County I might add because these are mostly people — the other people in the OIC training, other than those that will be hired by Warner are basically going into the suburbs, but we need to be sure that they will not as the contract reads, be sent to "Canton, Akron, Youngstown or Ohio" and God knows where else. It was the first 20 and the first 40, we know we need them here, but I want to be sure that they say this one wasn't so good, we'll send him out to California, or we'll get rid of our obligation and we funded it, and it isn't only on cable, it is on everything else. We had one, I can't recall what the training program was, last week. There should be some language written into the program, some legal language that says, "the people who are trained with Pittsburgh CETA dollars must have first chance at Pittsburgh jobs". Would anybody not second that motion?

**Mr. Givens:**

I can only answer one question —

**Michelle Madoff:**

We have a second on the motion.

**The Chair:**

I think the points were made Mr. Givens, please, can we move on?

**Michelle Madoff:**

I have that as a motion and I have a second.

**Mr. Flaherty:**

I second the motion.

**The Chair:**

Can we vote on the bill please?

**Michelle Madoff:**

What are we voting on? My motion?

**The Chair:**

We are not voting on the motion, we are voting on the bill.

**Michelle Madoff:**

I made a motion that we have the legal language included, I have a second.

**The Chair:**

The gentleman just told you we had a resolution passed some time ago on just the very thing you had said.

**Michelle Madoff:**

I want that portion included in the contracts.

**Mr. Flaherty:**

I seconded that motion.

**The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

**Mr. Flaherty**

**Michelle Madoff**

**Noes:**

**Mr. Coyne**

**Mr. Givens**

**Mrs. Masloff**

**Mr. O'Malley**

**Mr. Robinson**

**Mr. Stone**

**Mr. DePasquale**

**(Pres't)**

**Ayes 2    Noes 7**

And a majority of the votes of Council not being in the affirmative, the motion was not approved.

**The Chair:**

The motion failed.

**Michelle Madoff:**

You don't want it included in the contract that they should be hired in Pittsburgh? Is that what you are saying Mrs. Masloff, that you don't care if they are hired with Pittsburgh monies?

**Mrs. Masloff:**

I know that they are going to be hired in Pittsburgh.

**Mr. Stone:**

Mr. President, if I may, I think the motion is being redundant, how many more times do we have to say it? You know it is rather interesting, Mr. Robinson presented a resoluion here covering this entire subject and you know I become increasingly disturbed with people who talk differently than what they did then. He has a resolution, if you care, he will read it to you.

**Mr. Robinson:**

Mr. President, just as a point of clarification, because I think certainly Mrs. Madoff's point is well taken relative to the general issue. On February 25, 1980, Council did pass Resolution No. 144 and if I might indulge Council for a moment, I would like to read it because I think particularly the last paragraph speaks to the issue that she is raising.



WHEREAS, the City of Pittsburgh has embarked upon an ambitious and expansive economic development in the City revitalization effort; and

WHEREAS, the major goal of these efforts is to generate and stimulate the general economy of the Pittsburgh area, its businesses, social fabric and cultural base; and

WHEREAS, the advent of Renaissance II has accelerated these efforts and provided subsequent evidence of this City's progress; and

WHEREAS, local businesses and the employment of local individuals is a primary concern of the residents, businesses, community and local government,

NOW, THEREFORE,

BE IT RESOLVED that this Council and the Mayor on behalf of the Citizens of the City of Pittsburgh encourage and implore those interested in assisting in the development of the City of Pittsburgh to prepare and present as part of their proposals, a process to substantially involve local businesses and local individuals in their development plans.

**Michelle Madoff:**

Mr. Robinson, you made that as a recommendation, I am now saying let's pick up your recommendation, I am just taking it one step — you took the first step I am taking the second, I am saying, yes, you are 1,000% right, let's put it in the contract.

**Mr. Robinson:**

If I might, perhaps the Parliamentarian can clarify for me, the legal impact of these general resolutions of Council.

**Parliamentarian:**

I think that you should request an opinion from the City Solicitor.

**Michelle Madoff:**

That is what I asked for in my resolution, or in my amendment, that I wanted a legal opinion of whether that could be written into the contract.

**Mr. Givens:**

Well, I was going to head for the same legal opinion, but I feel it is federal money, when federal money is given through the state and otherwise, it is to be used on a national basis. A person that is trained here or a person who is trained in Los Angeles, either of them can interface. I don't think that this Council should say that if a person is trained by CETA money in the City of Pittsburgh that they must remain here. The whole purpose of CETA is to train a person to give them a job and that dignity that he needs. I think that Bill Robinson's resolution is to have a good effective program so that the people of Pittsburgh can get the advantage. If Pittsburgh moves forward faster than other cities, you will find people coming into the City to get employment, even if they have to go elsewhere. The idea is to give a person a job.

**Mrs. Masloff:**

Mr. President, I understand Warner Cable will hire those first 90 people as they say, after that I don't know.

**Michelle Madoff:**

Put it in the contract.

**Mr. Flaherty:**

I just want to comment on something that Councilman Givens said. I don't believe that Michelle's amendment is mandating that that person have to work here. I think the intent of the amendment is saying that Warner will have to give top priority to jobs in Pittsburgh, to people who were trained by the CETA Program here.

**Mrs. Masloff:**

Let's vote on this issue.

**Michelle Madoff:**

How can we vote on the issue when we haven't voted on the motion that we have a legal opinion as to whether we can include it in the contract?

**The Chair:**

Your motion was voted down Michelle, what do you want? It was turned down, how many times are you going to bring it up? This is ridiculous, are you going to ask for it again? You don't know anything about parliamentary law at all — move on Mr. Clerk, let's have the vote on Bill No. 1299.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

**(ONE ABSTAINING —  
MICHELLE MADOFF)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson:**

Mr. President, if I may, I would like to have my comments from the meeting of Wednesday, July 23, 1980 included in the record please.

**MR. ROBINSON'S COMMENTS  
FROM THE MEETING OF  
WEDNESDAY, JULY 23, 1980:  
(Bill No. 1299)**

**Mr. Robinson:**

Mr. Chairman, as someone who has some sensitivity to the OIC and Bidwell, it seems to me that this is an area in which we have an unique opportunity to help both agencies perform very useful functions and others trying to find employment for people who need it in an area that is expanding, cable communications. I think we have to keep in mind that the original proposal under which OIC was operating was funded by a private cable company who felt this was the appropriate thing to do but was in their best interests because they have the best cable connections in this area. By the same token, I think both Bidwell and OIC were mentioned in the bid packages submitted by both companies as potential organizations that might be involved with some community input. The monies that are being made available to Bidwell I don't think preclude OIC applying for additional monies to the County or City in this regard; and we have to keep in mind if Warner were not a cable company, if Warner were involved in the ice cream business, they would probably still be eligible to train CETA employees to be ice cream makers, and we have another program of private concerns, Urban Revitalization, Inc. I would hope Council would support this effort on the part of Bidwell. There is such a need for people in this area of cable communications that we certainly can stand two programs that are training people for basically the same thing with the full understanding that the original program for OIC was sponsored by a private agency, private company that said very clearly in its press conference and in its presentation that they felt this was something they wanted to do as a private company; and whether or not they, as a cable company, were awarded the franchise for the city of Pittsburgh, they felt the cause they were supporting was worthy and that that is to stand on its merits. The Bidwell proposal, on the other

hand, is a venture Warner feels they would like to do, and they have picked the organization they would like to do it with, and we should respect that and try to do what we can to help both agencies.

End—Mr. Robinson's remarks from the meeting of Wednesday, July 23, 1980 (Bill No. 1299)

Mr. Coyne presented

No. 1410 Report of the Committee on Public Works for July 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1212

A Resolution entitled, "Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended by Resolution No. 1045, approved December 31, 1976, as amended by Resolution No. 1148, approved November 25, 1977, entitled, 'Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted', by including the Bloomfield Bridge Project."

Which was read.

Also,

Bill No. 1213

A Resolution entitled, "Resolution further amending Resolution No. 1269, approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, as amended by Resolution No. 522, approved June 12, 1980, entitled, 'A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the

Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by redefining funding sources."

Which was read.

Also,

Bill No. 1214

A Resolution entitled, "Resolution vacating Acosta Way between the Boulevard and Meyers Street in the 29th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1215

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the use by the City of property owned by the Commonwealth for improvements to various intersections within the City."

Which was read.

The Chair:

Is there any discussion on the bills

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 1411 Report of the Committee on Planning, Housing and Development for July 23, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 996

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16 by changing from 'M3' Light Industrial District to 'AP' Planned Commercial-Residential Unit Development District all that certain property bounded by: PENN AVENUE: the boundary line of the 'AP' District, 'M1' District and 'C3' District located between PENN AVENUE and BROAD STREET east of PENN CIRCLE EAST: the southeasterly boundary of Block 84 G, Lot No. 360 in the Allegheny County Block and Lot System and its projection in a northeasterly direction, 11th Ward."

Which was read.

Also,

Bill No. 1237

A Resolution entitled, "Resolution providing for a for a Seventh Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh, amending the Community Development Block Grant Program Cooperation Agreement of 1975 by providing for the deletion of the provisions set forth in the Sixth Amendatory Agreement to said Cooperation Agreement as approved by Resolution No. 953 of 1976; providing further for the repeal of Resolution No. 750 of 1978 which approved the Seventh Amendatory Agreement to said

Cooperation Agreement; and providing further for a decrease in the cost thereof and reallocating the amount of \$163,800 from the program category, 1975 CDBG Program Trust Fund, 'Unspecified Local Option Activities; and providing further for the repeal of Resolution No. 444 of 1980 which approved a Fourth Amendatory Cooperation Agreement."

Which was read.

Also,

Bill No. 1238

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Carnegie-Mellon University to assist the City in the identification of management and fiscal issues, analysis and recommendations regarding these issues and the role of the City in provision of indoor recreation, facilities and services."

Which was read.

Mr. Stone:

Mr. President, on Bill No. 1238, if you will recall we had a lot of concern about this one because we were talking about this subject in November of 1979 and we are back to it now in July. I asked on Wednesday when we might get this study completed. I was informed this morning, it will be October of 1980, so I would like to suggest, rather than amending the bill, but later I will come back and make this motion, that a letter be sent to Mr. Lurcott, the Director of Parks and Recreation, Louise Brown, and to Carnegie Mellon, the perspective awardee here, that this study is to be completed on or before November 1, 1980 and that the report shall be given to Council immediately upon its completion. I will make that after, but I just wanted it understood in line with that discussion we had last Wednesday.

Mike, I move that with a copy of the bill, a letter is to go to Director Lurcott, Louise Brown and Carnegie Mellon, it was

represented to Council that this study is to be completed on or before November 1, 1980 and that the report shall be given to Council immediately upon its completion.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 1239

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$110,000."

Which was read.

Also,

Bill No. 1240

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Clifton Ruggs and Ida Ruggs for the sale of Parcel 78 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 1241

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Church of the Living God for the sale of Parcel 55A in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 1242

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Droz Development for the sale of Parcel 1 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1243

A Resolution entitled, "Resolution approving the Conveyance of Part of Parcels 4B, 5A, and 5B from the Urban Redevelopment Authority of Pittsburgh to the Commonwealth of Pennsylvania, Department of Transportation, said property being located in the Twenty-Eighth Ward of the City of Pittsburgh in Redevelopment Area No. 24."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative the bills passed finally.

**Mr. Givens presented**

No. 1412 Report of the Committee on Supplies for July 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1223

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various lawn care equipment (leaf blowers, rotary mower, etc.) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1224

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of iron plates for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 1225

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various printing equipment for the Photo Lab, Department of Supplies, and for the payment thereof."

Which was read.

Also,

Bill No. 1226

A Resolution entitled, "Resolution providing for the letting of a contract or contracts

for the furnishing and delivery of one ton pick-up trucks for the Department of Lands and Buildings, and for the payment thereof."

Which was read.

Also,

Bill No. 1228

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a hydraulic sewer cleaning machine for the Department of Public Works, and for the payment thereof."

Which was read.

Also,

Bill No. 1229

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Burlington Fleet Services, a division of Burlington Industries, for professional consulting services in connection with the management of the City's vehicle fleet; and providing for the payment of the cost thereof."

Which was read.

**Mr. Stone:**

Mike, on that last bill, is that part of that leasing thing?

**Michelle Madoff:**

Is that the one we have to have a hearing on?

**Mr. Perry:**

That is an agreement with Burlington Fleet Services.

**Mr. Givens:**

That is the computer system that we

are using at the present time to tabulate all of the supplies, especially —

**Mr. Stone:**

What is that bill number Mike?

**Mr. Perry:**

Bill No. 1229.

**Mr. Givens:**

They are on line right now — we are to tie that into our City computer once that is in.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Stone:**

Mr. President, if you will excuse me, I am due at a meeting with Southwestern Regional Planning, I will be in meetings until about 6:00 so I am going now.

**Michelle Madoff:**

Oh, then I won't see him until I come back in September.

**The Chair:**

You are excused sir.

**Michelle Madoff presented**

No. 1413 Report of the Committee on Water for July 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1230

A Resolution entitled, "Resolution providing for a contract or contracts for the relay of undersized water lines serving fire hydrants on various streets; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

No. 1414 Report of the Committee on Parks and Recreation for July 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1234

A Resolution entitled, "Resolution authorizing a lease with Mercy Hospital for the use of property owned by the Mercy Hospital of Pittsburgh at the corner of Miltenberger and Locust Streets, at a cost not to exceed \$900.00, chargeable to and payable from Code Account 1081, Miscellaneous Services in the Department of Parks and Recreation. (Period of one year effective January 1, 1980 and terminating December 31, 1980)"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeable to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 1415 Report of the Committee on Lands and Buildings for July 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1218

A Resolution entitled, "Resolution further

amending Resolution No. 247, approved March 14, 1979, as amended by Resolution 1071, effective December 5, 1979, entitled, 'Resolution providing for a Cooperation Agreement or Agreements with the Hill District Citizen Development Corporation, a non-profit organization, for the renovation of the First Floor of a building located at 2019-2021 Centre Avenue, 5th Ward, for use as a Senior Citizen Center and a limited purpose Credit Union, and providing for the payment of the cost thereof, by providing for a Second Supplemental Agreement with the Hill District Citizens Development Corporation, increasing the amount provided from \$90,000.00 to \$105,000.00."

Which was read.

Also,

Bill No. 1219

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, one (1) anchor, together with crossarms, cables, guy wires and other necessary appurtenances on City property fronting on Noblestown Road, 20th Ward."

Which was read.

Also,

Bill No. 1220

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole together with crossarms, cables and wires, and other necessary appurtenances thereto on City property fronting on River Avenue, 22nd Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"



The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Michelle Madoff:

I have been contacted by two different people, one who has lots of money and one who is very poor —

The Chair:

Your husband is the first one, who is the second one?

Michelle Madoff:

I thought it was you that had all the money Mr. DePasquale, you told me privately that you had it salted away.

Now, it appears that people are being harrassed, in my neighborhood and I presume it is all over the City, in the 14th Ward particularly. There are citations being given to people on faulty sidewalks that have existed for many years and should be corrected, I support that completely as would every member of Council, we have enough accidents and claims, but a particular example I will give you — these are people who have immigrated from New York who are living here, and they have a tree which is a City tree. The City tree uproots their sidewalk, they get a notice, a citation saying you have one week in which to correct this or you will be fined up to \$500.00, and they go out because they don't want to have the \$500.00 fine and they try

to get a contractor, and you can't get a contractor overnight because I am looking for someone to do my patio — if you know any, I'd appreciate it, but I did get someone to come and fix three bricks — three bricks on a step so that nobody would get hurt, so they wouldn't trip, and they charged me \$100.00 for three bricks. These people paid \$550.00 to have, I don't know what you call them — two sidewalk blocks, big ones — and the City reimbures them at the rate of \$2.50, they used to reimburse them at the rate of \$1.50 — per square foot. They were told they would be reimbursed Mr. DePasquale, now they are going to get probably \$80.00 or whatever, and it cost them \$550.00. Now, before I ever got to Council, I understand that somebody in the South Side had a \$7,000.00 because of a leak in the waterline from the main to the curb, and a bill passed this Council immediately, that we would be responsible from the curb to the main.

I would like to see something happen, and I am going to be gone for a month, and this is in Mr. Bill Coyne's Department and that is why I asked him to stay, I'm sorry he had to leave, perhaps the Safety Director might work on it, but that we have an ordinance that if someone is going to be harrassed and told to fix up their property, this is what the second gentleman told me, the one who has the money to do it, he got the citation and he said he'd be happy to fix it, even though the damage was not caused by his own tree, it was caused by a City tree, but he wanted to know what he was supposed to do because all he had was a crack. Is he allowed to patch it? If he puts in another cement block, and I don't know about cement, but I know one block can be an inch higher than the other, would that constitute — and the wording of the ordinance says, "where somebody can trip"— somebody can trip walking out of here. What does that mean? I think the ordinance has to be looked at and legally clarified as to what we should have in it and when somebody gets a citation, that they are told what is to be done. Can it be patched? Do they have to replace it? And how will they be

reimbursed? You can't say to somebody, "You've got one week or we are going to fine you \$500.00", do you think that is fair?

**The Chair:**

We are talking about a City tree that uproots a sidewalk, the sidewalk belongs to the owner —

**Michelle Madoff:**

Right.

**The Chair:**

The owner has the obligation of having it fixed but can bill the City for the cost.

**Michelle Madoff:**

Exactly, but they are not being reimbursed.

**Mrs. Masloff:**

Wait a minute, it is my understanding, and if not, you will correct me, if it is a City tree and it is creating a hazard, can't the City take that out?

**Michelle Madoff:**

No, I have checked it thoroughly and done all the research on it. All they will do is take the part of the root that has uprooted — and I'm sure you know more about this because you are probably involved in this work, where it is upsetting the cement, and all they will do is make them fix the damage and they will only reimburse them, they have gone from \$1.80 to \$2.50, if a bill is \$550.00, that's just too bad, you are out. Can you do something about that, or would you look at that Mr. DePasquale, it is really unfair.

**The Chair:**

Certainly it is unfair.

**Michelle Madoff:**

I called Mead Mulvihill and got told off about it, he is not even sure we should pay anything, even though it is our tree.

**Mr. O'Malley:**

Michelle has a good point there, my parents had the same thing happen to them. They had a City tree, the roots uprooted their sidewalk. They called the City, the City said it was their responsibility to fix the sidewalk, well my father said, "Fine, what about the tree?" and the City said, "Well, our policy is now, that we don't take down any trees", and my father says, "Well, can we have the tree trimmed?", and they said, "Well, we can't do anything to the tree until you fix the sidewalk", and my dad said, "What is the sense in fixing the sidewalk if the same thing is going to happen?" So, it is like a big vicious circle where the City is wrong, but the residents aren't getting any satisfaction, so my dad fixed the sidewalk, paid for it out of his own pocket and now the tree is uprooting the new sidewalk.

**Michelle Madoff:**

And I would sue the City, because you see what is happening, very simply, is that we are trying to save all the money in claims, the little people who don't take real action, who don't go out and hire an attorney, they really get abused. But, then, you see we have somebody who is running for office next year, so we don't want to raise taxes, so who do we take it out on, not the big guys who can afford Market Street, who can pay to re-do Market Square — we just paid for it and we are going to re-do it again, but we will hit the little guy who is not going to go to court for \$500.00, or your father for that money, and that, I think, is terribly unfair.

**Mr. O'Malley:**

She has a good point.

**The Chair:**

I am thinking obviously, if we could get some sort of survey conducted as to how many of those trees exist, I wouldn't think there are that many in the City of Pittsburgh, maybe 50, 60 or 100, but at the same time, the difficult part is to find exactly where they are, and then when we pinpoint those locations and then try to get some sort of legislation in regards to —

**Michelle Madoff:**

I don't think you understood me sir, they now are making a concentrated effort — there is a program, they have gone out and they are going door to door —

**The Chair:**

Michelle, perhaps you can clear the air — maybe they know exactly where those trees, give us a report and let us get some legislation —

**Michelle Madoff:**

Would you look into it yourself?

**The Chair:**

You are telling me that people have to pay for the City's mistakes, well that is bull crap, if it is the City's tree, the City should have to pay, and if anybody pays otherwise, they are crazy. Why would someone pay for damage done by a City tree?

**Michelle Madoff:**

They are being intimidated.

**Mr. O'Malley:**

It's like, what came first? The chicken or the egg, that's what it is.

**Michelle Madoff:**

And then Mr. DePasquale, please make sure that the bill says what you are to do. What if your next block is an inch higher,

that is more of a danger than a thin crack that may be —

**The Chair:**

First of all, why would they have ever planted trees on somebody's property? I don't understand. The new ones they are putting up now they are putting in the dirt part.

**Michelle Madoff:**

No, these are trees that are overgrown and the root has grown up under the sidewalk, big old trees.

**Mr. O'Malley:**

They have pushed the sidewalk up.

**The Chair:**

It's not the tree itself, it is the roots that extend out.

**Michelle Madoff:**

Mr. DePasquale, we have five members of Council left here — I have a letter that came to me and I want to read you the opening sentence:

"Dear Councilwoman:

As you know, I am currently employed by the Pittsburgh Bureau of Census, therefore I cannot sign this letter..."

I know who sent it to me and I know how to reach the person —

**The Chair:**

The Bureau of Census?

**Michelle Madoff:**

The Bureau of Census. This person goes on to talk about how the City got — how can I say it in a ladylike way? It is difficult — we were had — how about we were had? But the Census —

**The Chair:**

Well, I've heard it put differently —

**Michelle Madoff:**

But you know the word I am really thinking of, it starts with an s —

**The Chair:**

In my neighborhood we didn't use the word "had", but go ahead.

**Michelle Madoff:**

Well, in any event, they believe that the way the Census was taken was done pragmatically, and they point out the areas in which it was pragmatic and inaccurate and I think that we have a responsibility to have somebody follow through on it, and again, since I won't even be here until September and in November we get into budget, I will do my best before September, but what I will do is have a Xerox made, I'll give this to — this is property of Michelle Madoff, you will know that, right? We will give this to the Clerk and see that everybody gets a copy of it and you will read it, you will see the claims they are making about how they were expedient in arriving at the numbers and how they didn't really do their job and how they sidetracked what they were supposed to do and this is from the inside —

**Mr. O'Malley:**

Why don't you give it to the news media?

**Michelle Madoff:**

I'd be happy to give it to the news media but I can't give the person's name. There are people who are now leaving the Census who are going to work for communities as employees, and saying, "This is what happened", but this person has not left as yet, and if you will give a copy to the media, they may want that now, I think that is very interesting.

Thank you. May we have a motion to approve the minutes?

**Michelle Madoff:**

Isn't there a motion to say goodbye to me, that I am leaving on Friday, or can we wait until after the hearing on Thursday?

**The Chair:**

We'll do that Wednesday.

**Michelle Madoff:**

Do you want to take me to dinner "Jeep"?

**Mr. O'Malley** moved to seconded the minutes of Monday, July 14, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mrs. Masloff**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, August 4, 1980

No. 31

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't. City Clerk

Pittsburgh, Pa.

Monday, August 4, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. DePasquale
Mrs. Masloff	(Pres't)

#### ABSENT:

Michelle Madoff      Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1416 Resolution providing for an

Agreement or Agreements with the Community Action Pittsburgh, Inc., for services, to the Senior Meals Program, and transferring the sum of \$5,000.00 from Code Account 42, Contingent Fund to Code Account No. 1838, Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

Also,

No. 1417 Communication from Louis R. Gaetano, Director, Department of Public Works, submitting list of new sixty (60) day trial regulations covering Forbes Avenue and Fourth Avenue, Downtown. These regulations are being implemented to help maintain traffic during the construction of the 46 Story Oxford Centre, which will require the closing of Cherry Way, between Fourth Avenue and Third Avenue for eighteen (18) months beginning approximately August 20, 1980.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 on all bills presented today so they can be brought up at Wednesday's meeting.

Mr. Givens seconded the motion.

Which motion prevailed.

Mrs. Masloff presented

No. 1418 Resolution repealing Resolution No. 164, effective March 21, 1980 entitled, "Providing for a Lease or Leases

and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$80,000.00."

Also,

No. 1419 Resolution amending Resolution No. 632, effective July 16, 1980 entitled, "Amending Resolution No. 207, effective April 4, 1980, entitled, 'Providing for a lease agreement or agreements with the Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovation of the facility and for payment of the cost thereof; and amending Resolution No. 1495 of 1978' by increasing the amount authorized" by changing a code account.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 1420 Resolution providing for the issuance of a warrant in favor of Edward A. Brown, 8012 Conemaugh Street, Pittsburgh, PA 15221 in payment for the demolition and removal of Two 2-story Frame Dwellings located at 74-76 St. Michaels Street and 3 story Brick Storeroom, 1 story Iron Clad Garage located at 7357 Bennett Street, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Robinson for Mr. Stone presented**

No. 1421 Resolution authorizing the Mayor to issue and the City Controller to countersign duplicate warrants to the same payees and in the same amounts to replace warrants lost, stolen or inadvertently destroyed.

Also,

No. 1422 Resolution amending Reso-

lution No. 680, approved July 14, 1980, effective July 29, 1980, entitled, "Resolution providing for the issuance of a warrant to Christina Gregg, in the amount of \$8,500.00 in full settlement of claim for personal injury, and providing for the payment thereof," by changing payees and amounts as per Order of Court dated May 29, 1980.

Also,

No. 1423 Resolution transferring to Code Account 42-2 Council's Contingent Fund, the aggregate sum of \$214,500.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from June 2, 1980 through June 29, 1980.

Also,

No. 1424 Communication from Ronald C. Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City depositories to secure same as of May 31, 1980.

Also,

No. 1425 Communication from George W. Jacoby, Deputy Treasurer amending Council Bill No. 1181 dated July 10, 1980 which approved Judith Gula and Robert Yakich to attend Municipal Accounting Seminar for Government Accountants, Monroeville, PA, July 17 and 24, 1980 by increasing amount for total expenses involved from \$50.00 to \$77.84, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 1426 Communication from John Gabriel, Director, Commission on Human Relations, requesting permission for Sofronia Harris, Community Organization Worker 2, to attend training sponsored by U.S. Equal Employment Opportunity Commission in Washington, D.C., August 18-22, 1980, at a cost not to exceed \$350.00, payable from EEOC Trust Fund.

Which were read and referred to the Committee on Finance.

### REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 1427 Report of the Committee on Finance for July 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1255

A Resolution entitled, "Resolution transferring Fifteen Thousand (\$15,000.00) Dollars from Code Account 1645, Materials to 1644, Supplies, both accounts within the Traffic Control Division, Bureau of Operations."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1263

A Resolution entitled, "Resolution amend-

ing Resolution No. 404, approved May 16, 1980 and effective May 22, 1980, entitled, 'Providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the aggregate amount of \$18,563.00 in payment for renovations at Homewood and Central Branches, and providing for the payment thereof', by changing the source of funds and increasing payment."

Which was read.

Also,

Bill No. 1264

A Resolution entitled, "Resolution providing for the issuance of a warrant to Thomas DiDiano Construction, Inc., in the amount of \$3,816.35, Solari Electric Co. in the amount of \$605.00 and Andrew Metz Plumbing Co. in the amount of \$1,433.08; totalling in the aggregate \$5,854.43 in payment for extra services furnished for the benefit of the City in connection with construction of No. 2 Police Station, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1265

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of \$436.88 in payment for services performed in connection with testing of valves in the City-County Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1272

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of William M. Orr Company, Inc., North Braddock Avenue at Thomas, Pittsburgh, PA 15208, in the amount of \$580.00 in pay-

ment for R22 Refrigerant for repair of the Air Conditioning System at the Water Treatment Plant furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1300

A Resolution entitled, "Resolution providing for the issuance of a \$2,472.67 warrant to Sanford Z. Stein in full settlement of claim for vehicle damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1301

A Resolution entitled, "Resolution providing for the issuance of a \$1,444.78 warrant to Carol A. Cook in full settlement of claim for vehicle damage, and providing for payment thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1302

A Resolution entitled, "Resolution transferring \$300,000.00 from Code Account No. 45, Health Insurance-Municipal Employees, Department of City Treasurer to Code Account No. 41, Refunds, Real Estate Tax, Department of City Treasurer."

Which was read.

Also,

Bill No. 1303

A Resolution entitled, "Resolution transferring the sum of \$1,000.00 from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to Code Account 1101, Supplies, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 1304

A Resolution entitled, "Resolution transferring the aggregate sum of \$3,700.00 from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to The Employee Assistance Program Trust Fund, subject to reimbursement from Program grant funds."

Which was read.

Also,

Bill No. 1305

A Resolution entitled, "Resolution transferring the sum of \$4,367.93 from CETA Trust Fund, Federal Funds to Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to reimburse the cost of CETA usage of the Xerox 3400 Copier Machine



for the time period August, 1979 through June, 1980."

Which was read.

Also,

Bill No. 1306

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny and the Private Industry Council for Pittsburgh and Allegheny County to enable Allegheny County and the City of Pittsburgh to share the joint costs of the establishment and operation of the Private Sector Initiative Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1307

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Plumbers Local Union No. 27 to provide classroom training for CETA participants and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1317

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of Thirty Five Thousand (\$35,000.00) Dollars in payment for rental of equipment furnished for the benefit of the City in connection with snow removal services and providing for the payment thereof."

Which was read.

Also,

Bill No. 1335

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Navarro Corporation in the amount of \$3,292.00 in payment for curb ramps installed at the Central Branch, Carnegie Library/Institute, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1349

A Resolution entitled, "Resolution providing for the issuance of a warrant to Jackson Welding Supply Company in the amount of \$5,027.05 for the emergency purchase of welding supplies furnished to the City Garage facility without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1350

A Resolution entitled, "Resolution transferring the aggregate sum of \$138,500.00 from and to code accounts within the Department of Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

I move to amend Bill No. 1350 by transferring the following amounts:

\$12,500 from Code Account 1148, Automotive Parts to Code Account 1151, Tires, Recapping; also

\$37,000 from Code Account 1148, Automotive Parts to Code Account 1149, Tires, Chains and Tubes

and by changing the aggregate sum from \$138,500 to \$89,000.

Mr. Coyne seconded the motion.

**The Chair:**

Is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1392

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of 'Police Recruit Training', Pittsburgh National Bank, Special Trust Fund No. 2, in the amount of \$5,165.55 as reimbursement for monies inadvertently deposited in the General Fund, 'Miscellaneous Not Otherwise Classified'. This payment is to be chargeable to and payable from Code Account No. 43-1, Refunds, Fines, Etc., General Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 1428 Report of the Committee on Public Works for July 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1256

A Resolution entitled, "Resolution vacating Old Washington Place from Fifth Avenue to its northerly terminus (70'±) in the 3rd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1257

A Resolution entitled, "Resolution vacating Carey Place from Sarah Street to a point 169.5 feet west of South Twenty-Seventh Street in the 16th Ward of the City of Pittsburgh; excepting and reserving the 6 inch waterline and the 12 inch sewerline located therein."

Which was read.

Also,

Bill No. 1258

A Resolution entitled, "Resolution vacating the southerly half of Laughlin Avenue between Heidkamp Way and Lacona Street in the 29th Ward of the City of Pittsburgh, excepting and reserving an easement for the 10 inch sewer located therein."

Which was read.

Also,

Bill No. 1259

A Resolution entitled, "Resolution vacating Devilliers Street from the northerly line of Rose Street to the southerly line of Centre Avenue as laid out by the Commissioners City District Plan, June 6, 1840 in the 3rd and 5th Wards of the City of Pittsburgh, excepting and reserving easements for the 18 inch sewerline and the 4 inch waterline."

Which was read.

Also,

Bill No. 1260

A Resolution entitled, "Resolution granting unto Wayne D. and Karen M. Dilla, 527 East Carson Street, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a stoop and new steps to serve the front entrance of 527 East Carson Street, over a portion of the sidewalk of East Carson Street in the 17th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1318

A Resolution entitled, "Resolution providing for a contract or contracts for the Reconstruction of Pringle Street Storm Sewer; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 1429 Report of the Committee on Planning, Housing and Development for July 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1287

A Resolution entitled, "Resolution amending Resolution No. 732, approved June 30, 1978, as previously amended by Resolution No. 819 of 1978, and Resolution Nos. 699 and 806 of 1979, so as to increase the amount provided in the Original Agreement (#23527-F) from \$1,542,300 to \$1,792,300; and further, to extend the term of the Original Agreement."

Which was read.

Also,

Bill No. 1288

A Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh, for the utilization of administrative and management funds allocated to the following programs: Neighborhood Development Program, Property Management (UR-80-01); and Neighborhood Development Program Administration (UR-80-10); and Planning and Management (UR-80-13)."

Which was read.

Also,

Bill No. 1289

A Resolution entitled, "Resolution amending Resolution No. 390, approved May 4, 1980, effective May 12, 1980, entitled, 'Providing for an Agreement with the St. Clair Athletic Association, Senior Citizens Council for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh', to include the Urban Redevelopment Authority as an administrative agent to the Agreement."

Which was read.

Also,

Bill No. 1290

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Architects' Workshop, Inc., for urban design services in connection with the City's Community Development Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1291

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the property owned by Carl N. and Geneva L. Arter, in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-J, Lot Nos. 139, 142 and 150."

Which was read.

Also,

Bill No. 1292

A Resolution entitled, "Resolution approving a form of Contract for Disposition of

Land by and between the Urban Redevelopment Authority of Pittsburgh and the Community College of Allegheny County for the sale of Block 174J, Lots 139, 142 and 150 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1293

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Andrew L. Poindexter and Grace Poindexter for the sale of Parcel 33 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 1294

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jeanine C. Bacon for the sale of Parcel 204 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1386

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hill House Association, located at 1835 Centre Avenue, Pittsburgh, Pennsylvania 15219, for the coordination of a census recount in various Community Development neighborhoods, at a cost not to exceed \$2,500.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 1430 Report of the Committee on Supplies for July 30, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1268

A Resolution entitled, "Resolution providing for the letting, during the calendar year 1981, of a contract or contracts for the maintenance, rental, inspection of, servicing of personal property and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1269

A Resolution entitled, "Resolution providing

for the letting of contracts for materials, general supplies, and equipment, by the several departments of the City of Pittsburgh during the calendar year 1981, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 1431 Report of the Committee on Parks and Recreation for July 30, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1275

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of Paulson Swimming Pool and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1276

A Resolution entitled, "Resolution providing

for an Agreement or Agreements for professional services in connection with the design of the Renovation of the playground in Northview Heights and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1277

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the Renovation of Various Ballfields and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1278

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of a new swimming pool and park at Brookline Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1279

A Resolution entitled, "Resolution amending Resolution No. 534, effective June 18, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of basketball poles and backstops for the Department of Parks and Recreation, and for the payment thereof,' by correcting the project code and by increasing the authorization."

Which was read.

Also,

Bill No. 1280

A Resolution entitled, "Resolution providing

for the letting of a contract or contracts for the repair of the Children's Zoo patio area; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1281

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of a fire escape and related work at the Arts and Crafts Center, Mellon Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1282

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design, construction and installation of a nature display system at the Frick Park Nature Center and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1283

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for a Tree Planting Program at Various Locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1284

A Resolution entitled, "Resolution providing for the letting of a contract or contracts

for a Tree Planting Program at Various Locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1297

A Resolution entitled, "Resolution changing the name of Homewood Park Field, 13th Ward of the City of Pittsburgh to Willie Stargell Field."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres'd)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 1432 Report of the Committee on Lands and Buildings for July 30, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1336

A Resolution entitled, "Resolution amend-

ing Resolution No. 1227 of 1979, the 1980 Capital Budget, by creating a new Capital Project, LB 8011, Vehicle Maintenance Garage, 4-25-15-2050-80, Department of Lands and Buildings, and transferring funds within the Capital Budget."

Which was read.

Also,

Bill No. 1337

A Resolution entitled, "Resolution providing for an Agreement or Agreements with E. B. Maynard and Company, Inc., Consultants, for professional services in connection with a Vehicle Maintenance Garage Consolidation Study, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**The Chair:**

I would like to mention at this time, we have a distinguished guest in our audience today, Ann Kaiser, who is the aunt of one of our employees. It is a pleasure to have you here with us Ann.

## **MOTIONS AND RESOLUTIONS**

**Mrs. Masloff presented**

Bill No. 1433

WHEREAS, Marie "Tarney" Tarnapowicz, a Pittsburgh resident, has donated valuable World War II memorabilia to the Polish Falcons Museum on the City's South Side; and

WHEREAS, included in this collection are the numerous gold and silver medals Mrs. Tarnapowicz received in recognition of her war efforts; and

WHEREAS, during World War II Mrs. Tarnapowicz helped sell more than \$300 Million worth of war bonds; and

WHEREAS, Mrs. Tarnapowicz received national recognition for her efforts, being one of the most publicized women in the nation during the war years; and

WHEREAS, her fame and honor has greatly added to the dignity and pride of the City's Polish community and the entire City of Pittsburgh.

**NOW, THEREFORE**

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby extends commendation and gratitude to Mrs. Marie "Tarney" Tarnapowicz for her dedication, devotion and service to the United States of America, and for adding to the dignity and pride of the City's Polish community and the entire City of Pittsburgh.

BE IT FURTHER RESOLVED, that this Council hereby recognizes the week of August 10 to August 16 as "Tarney Week" in honor of Mrs. Tarnapowicz's distinguished service and devotion.

Which was read.

**Mrs. Masloff moved for adoption.**

**Mr. Coyne seconded the motion.**

Which motion prevailed.



**The Chair:**

We have another resolution here, Mr. O'Malley has requested to read it himself, would you come to the podium Mr. O'Malley?

**Mr. O'Malley:**

It gives me great pride to introduce this resolution at this time because of the article that was in the Post Gazette this morning that said certain areas of the City of Pittsburgh lack representation, of which I totally disagree and it also stated that West End/Elliott was one of those areas.

I know myself that I work 50 to 60 hours a week to represent all of the people in the City of Pittsburgh along with other members of this Council. I felt the statement was irresponsible and does a great injustice to this Council and I also feel that this Council is owed an apology.

So at this time it gives me great pleasure to read this resolution for West End/Elliott.

**Mr. O'Malley presented**

Bill No. 1434

WHEREAS, West End was one of the early industrial backbones of the Pittsburgh area, including Iron and Glass; and

WHEREAS, Elliott was one of the early coal mining centers of the area; and

WHEREAS, since the early 1900's, both these communities have been active and important communities of this City, contributing to the growth of this community; and

WHEREAS, the West-End-Elliott Citizens Council has been an active voice for improvement in the City,

NOW, THEREFORE

BE IT RESOLVED that the Council

of the City of Pittsburgh recognizes August 17, 1980 as West End-Elliott Day in honor of "1980 Festival" held on that day and urges all of the residents of the City of Pittsburgh to attend and participate in these activities.

Which was read.

**Mr. O'Malley moved for adoption.**

**Mr. Robinson seconded the motion.**

Which motion prevailed.

**Mr. O'Malley:**

Mrs. Daniels is a representative of the West End Elliott Citizens Council, would you please come to the podium to say a few words?

**Mrs. Daniels:**

I would just like to thank the members of Council, particularly Mr. O'Malley for recognizing our neighborhoods. It is a first and I appreciate it and I think all of my neighbors and friends will appreciate it and we will display this at our festival and in different places in the neighborhoods so that people know that we are not a forgotten part of the City. Thanks again.

**Mr. Flaherty:**

Mr. President, I would just like to respond to Councilman O'Malley's preface. I commend him on offering the resolution in regard to the citizens of the West End/Elliott area.

I am somewhat dismayed by his comment — I believe he was referring to my comments, he did not say earlier, but I am somewhat dismayed on why he feels that I as the speaker of those comments, owe this Council an apology. The chief complaint that I hear from the people of the West End/Elliott area, and there are a few of them that I believe are here now, is the complete lack of representation they have had as a member of this Council. In the

modern history of this City and of these politics, they have been completely ignored, so I don't think anyone should try to slap the residents of West End-Elliott in the face, I think they are entitled, and are certainly competent and have the ability to make themselves known as to how they feel in regard to the issue of representation by specific district and I feel that they are entitled and should be granted the form at the appropriate time, to state their views and I feel it is unfortunate and prejudicial that a member of Council would try to speak for them, especially a member that has only been on this Council for a half of a year.

**Mr. O'Malley:**

I would like to answer those remarks. The statement was made by Mr. Flaherty that certain areas of this City are forgotten — being one of the two members who have been on Council for seven months, I don't feel that any Councilmember that I know feels that he neglects any section of the City of Pittsburgh. Now, if Mr. Flaherty feels that West End-Elliott is forgotten, then I suggest that it is on Mr. Flaherty's head because anytime I have gotten a call from anybody, whether it is North Side or South Side, I have always responded, I know the rest of this Council has responded.

Also, from any section, if a community group or any resident of the City of Pittsburgh would send a petition with 25 signatures, this Council has never turned down a petition for a hearing to hear any problems. Therefore I think a grave injustice was done to this Council in saying that we don't represent all of the citizens of this City.

**Mr. Flaherty:**

If Councilman O'Malley read the entire article, which I am sure he did, I state in there that as a member of Council I find it hard to have a true feel for all the communities in the City because it is too much hit and miss because I am out virtually

every evening, as I am sure all my colleagues on Council are and it seems frustrating that we are just able to scratch the surface because we have 32 wards in the City and we have the opportunity to meet with the community leaders, but it isn't too often that we can establish and develop a strong relationship with the soul of a specific community because it just seems to be physically impossible to do that with all 32 wards in the City. I served four years as a State Representative for the Shadyside, Garfield, Bloomfield, Morningside, Stanton Heights areas, and in those four years, I believe that I had a real feel for that community, and because that area was small enough, that is why I was able to establish that over four years and I believe that it is frustrating to say that you can have a true feel for this entire City and to say that you couldn't have more of a feel if the districts were smaller.

All I am trying to do is to follow the mandates of the federal government — we are only one of five major urban areas in the City that does not have some form of representation by district. I think it is antiquated and I feel we could serve the people of Pittsburgh far better, with a combination, that is still up in the air.

**The Chair:**

If I may take the prerogative of the Chair, I don't want to get into a debate on district or at-large Council, my sentiments and feelings are known, they are on record, I am violently opposed to district Councilpersons, but I did want to say that I find it odd that probably the most complaints I get for not servicing are from the Fourth Ward and I live in that ward, so you see, it isn't always going to be that if you are from a certain ward or district that you are going to service them or satisfy them, if this is the leaning, but I don't want to go into that.

**Mr. Givens:**

Yes, Mr. President, I would just like to add some comments, you know, I have

eight children and sometimes if there is one person on a particular district versus nine people that can come into it, personality conflicts develop with only one person representation, the small area is good, but I have to re-apply that, the State is now asking to reduce their legislators, they feel they have too many of them. If we looked at one of our hopefully future congressmen, he has an area almost as large as the City of Pittsburgh, and in fact, will be, population-wise, as large as what the City of Pittsburgh will be, and we have our state senators, etc. Many of those major metropolitan areas that have been mentioned have just been formed more recently in the western and southern areas of our country. We are from the old northeastern political area and I am not saying that it is good or bad, but I feel that to go into this type of a Councilmanic body by district that we would be taking away from the people — the total people of the City of Pittsburgh, the input that we give everything that comes before us. I don't think, there are not that many things that come before this Council that we cannot take the time and effort to go out. Normally, City government, everything runs on about a 95% routine manner. It is that 5% that we have difficult problems with and that 5% I think can be handled very, very nicely. I have seen all forms of government. I have lived in all areas with these forms of government and I would say that I feel that this form of government that this Council body has — at large, is the best.

**The Chair:**

If I may — if Mr. Givens' children all get married and move to different parts of the City they won't be able to vote for him.

**Mr. Givens:**

And that legislative district he talked about is the one I am living in — I mean that Councilmanic district, as reported by the papers — and I might say that the article, you know there were great deliberations, I am sure Tom you might have had

the opportunity to, in fact you were here, you might have been involved in it at least as far as keeping up to date on the ongoing debates that happened in the form of the Home Rule Charter, but there was much debate over that particular area and if you can recall, there is a concern out there for the minorities. The minorities are the ones that wanted "at-large", because in some ways they felt they were going to be zoned out of existence. Remember the Courts must give that jurisdictional area as to the dividing lines of where the various groups will come, that our population shifts and everything else — Bill, I see you are shaking your head — Tom, you say no, that you were for the — well, I won't get into the issue, but from my review of it that is what I can recall anyway, that they were not for the thing, and I believe our Home Rule Charter has so stated in the case, by district, and if you try to change it "at-large", you can do that, but you cannot have both, you cannot have "at-large", and "district" without a referendum before all the people of the City of Pittsburgh.

**Mr. Flaherty:**

I am going to be extremely brief Mr. President — I am not going to debate or argue that, perhaps in the past, the "at-large" form has not served this City well, but I believe the times are changing, we don't have Lawrence as Mayor, we do not have the idea of the Balkan succession, we have a Council that has eight members from the eastern end of this City, we have a Council that only has one black member, and we could have a Council in the future, if people are voting as they voted in the last election, that is going to cause a lot of problems for this Council, for the Democratic Party and for tensions in this City and I feel it is a very viable issue and it is about time that this Council try to look at this issue without political overhangings because I feel it is an issue that could possibly blow up in the face of this Council if we don't.

**Mr. Givens:**

Tom, I just mentioned one word — I

have never known in the history of the City of Pittsburgh where incumbents were not endorsed by their party — we are not supposed to talk party politics here, but let's get it on the floor.

**The Chair:**

Okay — there being no further discussion, I see that Burns and Allen aren't with us today and I will ask for a motion to excuse the absent members.

**Mr. Flaherty:**

Thank God.

Mrs. Masloff moved to excuse Michelle Madoff and Mr. Stone for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Mrs. Masloff moved to approve the minutes of Monday, July 21, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

Mr. President, I move to adjourn this meeting and meet again Monday, August 11, 1980 at 9:30 A.M.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

and Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, August 11, 1980

No. 32

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY.... Ass't City Clerk

Pittsburgh, Pa.

Monday, August 11, 1980

#### PRESENT:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

#### ABSENT:

Mr. Givens	Mrs. Masloff
Michelle Madoff	

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

I'm happy for them that they are both

away — Mr. Givens and Michelle Madoff aren't here, so we may be able to wrap this meeting up by one o'clock.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1435 Report of the Committee on Finance for August 6, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1385

A Resolution entitled, "Resolution transferring the sum of \$184,238.00 from Code Account No. 1443-2, Salary Transfer, City-County Identification System to City-County Integrated Identification System Project (C-CIISP) Trust Fund."

Which was read.

Also,

Bill No. 1394

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories, Chapter 221, Contracts, by adding Section 221.07, Lock Box System, and Section 221.08, Holding Account."

Which was read.

Mr. Stone:

On Bill No. 1394, that Lock Box Sys-

tem, it is my understanding that the Treasurer had explained to those of you who were here last Wednesday what is involved, but as Finance Chairman, I would like to commend him for that because I think that we are going to get — there are two ways to make money. At least some better return, that is by getting higher interest, but the other thing is investing and reinvesting as quickly as possible. This Lock Box System as I understand it should accelerate that program by 5 to 7 days. I think we ought to commend him for that one.

Also,

Bill No. 1395

A Resolution entitled, "Resolution transferring the sum of \$5,000.00 between Code Accounts within the Department of the City Controller."

Which was read.

Also,

Bill No. 1396

A Resolution entitled, "Resolution transferring \$820,000.00 from Code Account No. 45, Health Insurance-Municipal Employees, Department of City Treasurer to Code Account No. 57, Social Security Fund, Department of City Treasurer."

Which was read.

Also,

Bill No. 1397

A Resolution entitled, "Resolution transferring \$5,500.00 from Code Account No. 50, Refunds, Sewage Charges, Department of City Treasurer to Code Account No. 43-1, Refunds, Fines, Etc., Department of City Treasurer."

Which was read.

Also,

Bill No. 1398

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the White House Veterans Federal Coordinating Committee for a grant in connection with Veterans Outreach and Community Services Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Veterans Outreach and Community Services Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1399

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Hill House Association for the administration of the Veterans Outreach and Community Services Project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1400

A Resolution entitled, "Resolution amending a portion of Resolution No. 570, approved June 25, 1980, entitled, 'Providing for an Agreement or Agreements with Educational Communications Institute for the implementation of the Comprehensive Employment and Training Act and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 1401

A Resolution entitled, "Resolution providing for an agreement or agreements with a consulting firm for professional services in connection with the development of an Indirect Cost Schedule for submission to the Federal Government; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1402

A Resolution entitled, "Resolution providing for an agreement or agreements with Johnson and Higgins of Pennsylvania, Incorporated, for professional services in connection with the Municipal Pension Fund, Policeman's Relief and Pension Fund, and Firemen's Relief and Pension Fund; providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1403

A Resolution entitled, "Resolution providing for a Supplemental Agreement with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates and other candidates for employment and promotion."

Which was read.

Mr. Stone:

On Bill No. 1403, there is a request for agreements to enter into agreements for professional services relative to Police and Fire, and I would like two letters to go out

if I may, relative to that matter. One to the Mayor asking when the next class, this year, will be coming about. I want to know how many candidates we will have, when that advertising will start, the whole schedule — when the professional services will be rendered, when the professional testing service will be rendered, when the school will start, when the school will be completed, in short, when will those men be in service.

Also, as well, to Melanie Smith, a letter listing any and all costs relative to the testing of those particular individuals.

Quite bluntly, what I am after is this, if we are only going to hire 20 people, it seems it borders on being ridiculous when you are going to spend \$200,000 to test a thousand people for 20 jobs. I think it is about time we start looking into hiring 60 or 70 or 80, one big class, because comparatively speaking I think it would cost the same amount of money to have a class of 60 as it would a class of 30 and I would like to see that happen, but what has been happening lately is the cost is getting up and bordering very high, to hire only 20 or 40 people and I think it is ridiculous.

Also,

Bill No. 1404

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title II, Part B, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1420

A Resolution entitled, "Resolution providing for issuance of a warrant in favor of Edward A. Brown, 8012 Conemaugh Street, Pittsburgh, PA 15221, in payment for the demolition and removal of two 2-story Frame Dwellings located at 74-76 St. Michaels Street and 3-story Brick Storeroom — 1-story Iron Clad Garage located at 7357 Bennett Street, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1421

A Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign duplicate warrants to the same payees and in the same amounts to replace warrants lost, stolen or inadvertently destroyed."

Which was read.

Mr. Stone:

On Bill No. 1421, we have duplicate warrants which are close to \$190,000 which are lost or mislaid. I am hard put to understand that. I would like an explanation as to why it took so long, who discovered it and why it wasn't discovered earlier and obviously, why it took two years.

Off of that subject comes this matter. If that money is laying there, was there interest coming off of it? If there was, who gets the interest? And of course, I don't know at anytime where this came up during our budget discussions in the last two years, but somewhere along the line if we got the interest we had added income that we weren't aware of. If we didn't get the interest and it was listed as a payment then somewhere there was some money that was not expended which should have showed up in our accounts.

Also,

Bill No. 1422

A Resolution entitled, "Resolution amending Resolution No. 680, approved July 14, 1980, effective July 29, 1980, entitled, 'Resolution providing for the issuance of a warrant to Christina Gregg, in the amount of \$8,500 in full settlement of claim for personal injury and providing for the payment thereof,' by changing payees and amounts as per Order of Court dated May 29, 1980."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.



Also,

Bill No. 1423

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$214,500.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from June 2, 1980 through June 29, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Mr. O'Malley</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 6    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 1436 Report of the Committee on Public Works for August 6, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1319

A Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558,

approved June 23, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by adding contingent line items to the Capital Budget."

Which was read.

Also,

Bill No. 1320

A Resolution entitled, "Resolution further amending Resolution No. 129, approved December 29, 1979, effective January 1, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by increasing and decreasing various line items." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1321

A Resolution entitled, "Resolution amending Resolution No. 596, approved June 27, 1979, effective July 2, 1979, entitled, 'A Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road Slide correction (PW 79-03) and providing for the payment of the cost thereof', by increasing the allocation for this project from One Hundred Thousand (\$100,000.00) Dollars to One Hundred Seventy Five Thousand (\$175,000.00) Dollars."

Which was read.

Also,

Bill No. 1322

A Resolution entitled, "Resolution amending Resolution No. 782, approved August 17, 1979, effective August 22, 1979, entitled,

'A Resolution providing for a Contract or Contracts for the Rehabilitation of the Larimer Avenue Bridge (PW 79-12); and providing for the payment of the cost thereof', by increasing the allocation to One Million Four Hundred Thousand (\$1,400,000.00) Dollars."

Which was read.

Also,

Bill No. 1323

A Resolution entitled, "Resolution amending Resolution No. 1216, approved December 31, 1979, effective December 31, 1979, entitled, 'A Resolution providing for a Contract or Contracts for the Wood Street Bridge Reconstruction (PW 79-17); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing allocation from Eight Hundred Thousand (\$800,000.00) Dollars to One Million Two Hundred Fifty Thousand (\$1,250,000.00) Dollars."

Which was read.

Also,

Bill No. 1324

A Resolution entitled, "Resolution amending Resolution No. 348, approved April 21, 1980, effective April 25, 1980, entitled, 'A Resolution providing for a Contract or Contracts for construction of an Asphalt Plant (PW 80-33);' by increasing the total allocation from One Million Four Hundred Thousand (\$1,400,000.00) Dollars to Two Million Five Hundred Thousand Dollars (\$2,500,000.00)." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1325

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with a professional engineering firm or engineering firms for engineering services in connection with Mission Street Bridge West (PW 79-18) and Mission Street Bridge East (PW 79-19) and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1326

A Resolution entitled, "Resolution providing for Agreements with the Port Authority of Allegheny County for the design and reconstruction of Arlington Avenue and Warrington Avenue trolley lines."

Which was read.

Also,

Bill No. 1328

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the preparation of general specifications for bridges, roadways and sewer projects (PW 80-38); and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1329

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalk and retaining wall (PW 80-38); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1330

A Resolution entitled, "Resolution providing

for a Contract or Contracts for Nine Run Sewer (PW 80-26); and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1332

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boundry Street; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1333

A Resolution entitled, "Resolution providing for a Contract or Contracts for the furnishing and installation of a Chain Link Fence on the south sidewalk and approach of the E. H. Swindell Bridge over East Street and for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 1437 Report of the Committee on Planning, Housing and Development for August 6, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1387

A Resolution entitled, "Resolution amending Resolution No. 313, approved April 18, 1980, effective April 25, 1980, entitled, 'Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1980 Community Development Block Grant Program, and providing for the payment of the cost thereof', by decreasing line item HD-80-19, Site Acquisition and Preparation for Assisted Housing from \$650,000 to \$630,000; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1388

A Resolution entitled, "Resolution amending Resolution No. 661, effective July 25, 1980, entitled, 'Providing for an Agreement or Agreements with the Central North Side Neighborhood Council for implementation of a technical services program for the North Side Tenants Reorganization at a cost not to exceed \$20,000.00 and providing for the payment of the cost thereof', by establishing a new line item for which these funds are to be used, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1389

A Resolution entitled, "Resolution approv-

ing a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cole, Montgomery & Rust, Inc., for the sale of Parcels 1, 2, 3, 4 and 5 in the Twenty-Fifth and Twenty-Sixth Wards of the City of Pittsburgh in Redevelopment Area No. 36."

Which was read.

Also,

Bill No. 1390

A Resolution entitled, "Resolution providing for the acquisition from Jacob Wohlhendler, for public park purposes, certain property at 1200 East Carson Street in the Seventeen Ward of the City of Pittsburgh pursuant to the Public Space Improvement portion of the City of Pittsburgh's Neighborhood Commercial Improvement Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley for Mrs. Masloff presented

No. 1438 Report of the Committee on Parks and Recreation for August 6, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1352

A Resolution entitled, "Resolution repealing Resolution No. 1154, effective October 13, 1978, entitled: 'Providing for a contract or contracts or the use of existing contracts for furnishing and placing electrical equipment for the park and recreational lighting at Brookline Park and providing for the payment of the cost thereof.' "

Which was read.

Also,

Bill No. 1353

A Resolution entitled, "Resolution repealing Resolution No. 247, effective April 11, 1980, entitled: 'Providing for an Agreement or Agreements for professional services in connection with the design and construction of Dunbar Ballfield and providing for the payment of the cost thereof.' "

Which was read.

Also,

Bill No. 1354

A Resolution entitled, "Resolution amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by changing the title of Project PR79-05, 4-10-05-1380-79, 'Magee Recreation Center: Additional Funds' to 'Swimming Pools including Brookline and Highland Park Bathhouse', in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1355

A Resolution entitled, "Resolution amending Resolution No. 129 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$40,000.00 for Project PR80-02, 4-10-01-1280-80, Phipps Con-

servatory, in the Department of Parks and Recreation.

Which was read.

Also,

Bill No. 1356

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of concrete work; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1357

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1358

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the installation of flooring at the Frick Park Nature Center; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1359

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of fence; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1360

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the rehabilitation of various ballfields; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1361

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the Renovation of the West End Park Shelter; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1362

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of Westwood Pool; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1363

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the renovation of Highland Park Swimming Pool Bathhouse; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1364

A Resolution entitled, "Resolution providing

for a contract or contracts or the use of existing contracts for the repair of various facilities within the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1365

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the lighting of Various Tennis Courts; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1366

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the lighting of Mellon Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1367

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the rehabilitation of the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1368

A Resolution entitled, "Resolution providing for an agreement or agreements with various railroads for the design and construction of a railroad crossing at the South Side

Riverfront Park, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1369

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of rest rooms at Quarry Field and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1370

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the Aviary Feasibility Study and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1371

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with repair of Various Facilities within the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1372

A Resolution entitled, "Resolution providing for an agreement or agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for reimburse-

ments to the City by Allegheny County Institutional District for supplies and equipment expenditures in connection with the Senior Citizens Program."

Which was read.

Also,

Bill No. 1373

A Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the design of the Renovation of Phipps Conservatory and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1374

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services in connection with the design of the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1375

A Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh-Allegheny County Cultural Alliance for the provision of professional services in conjunction with the coordination of arts and cultural organizations, and providing for the payment of the cost which is not to exceed \$15,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1416

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community Action Pittsburgh, Inc., for services to the Senior Meals Program, and transferring the sum of \$5,000.00 from Code Account 42, Contingent Fund to Code Account No. 1838, Parks and Recreation."

Which was read.

Also,

Bill No. 1418

A Resolution entitled, "Resolution repealing Resolution No. 164, effective March 21, 1980, entitled, 'Providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizens facilities in an amount not to exceed \$80,000.00.'"

Which was read.

Also,

Bill No. 1419

A Resolution entitled, "Resolution amending Resolution No. 632, effective July 16, 1980, entitled, 'Amending Resolution No. 207, effective April 4, 1980, entitled, 'Providing for a lease agreement or agreements with the Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovation of the facility and for payment of the cost thereof; and amending Resolution No. 1495 of 1978' by increasing the amount authorized' by changing a code account.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 1439 Report of the Committee on Lands and Buildings for August 6, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation

Bill No. 1338

A Resolution entitled, "Resolution amending Resolution No. 1350 of 1978, the 1978 Capital Budget, by providing for an additional appropriation of \$50,000.00 for Project No. LB 78-08 (4-25-15-0001-78) Renovations of Various Public Buildings, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 1339

A Resolution entitled, "Resolution further amending Resolution No. 474, effective May 29, 1979, as amended by Resolution No. 891, effective October 9, 1979, entitled: 'Providing for a Cooperation Agreement or Agreements with Buhl Planetarium, a non-profit corporation, in connection with the removal of architectural barriers', by in-

creasing construction contracts from \$120,000.00 to \$260,000.00."

Which was read.

Also,

Bill No. 1340

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with renovations at Hill House, Kaufmann Center and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1341

Resolution amending Resolution No. 565 (Item F), approved 6-25-80 for sale of vacant land on Middletown Road, 20th Ward (71-R-222) to George W. & Mary E. Harshman, his wife. Amendment is to correct spelling of former owner's name.

Which was read.

Also,

Bill No. 1342

Resolution amending Item (B) of Resolution No. 514, approved 6-11-80, for the sale of lot on Warrington Avenue in the 18th Ward, designated as Block 14-C, Lot 21, to William E. & Sharon Ann Mooney, his wife, for the sum of \$250.00. Amendment is to correct Plan lot number.

Which was read.

Also,

Bill No. 1343

Resolution repealing Resolution No. 573 approved 5-30-80 for the sale of a 2 story brick house in the 13th Ward, 7505 Finance Street, 175-B-246-A, to Willie Boykins for



the sum of \$850.00. Hand money (\$100.00) to be refunded to purchaser.

Which was read.

Also,

Bill No. 1344

Resolution repealing Item (G) of Resolution No. 355 approved 4-15-80, authorizing the sale of property in the 16th Ward being a vacant lot on S. 28th Street (12-S-163) to Charles Malanowski for the sum of \$250.00. Hand money of \$100.00 is to be returned to purchaser.

Which was read.

Also,

Bill No. 1345

Resolution repealing Resolution No. 113, approved 2-16-79 authorizing the sale of property on 3605 Charlotte Street, 6th Ward, 48-M-35-A, to Edward T. Marchewski, for the sum of \$600.00. Sale is to be repealed and hand money returned to purchaser.

Which was read.

Also,

Bill No. 1346

Resolution repealing Item (A) of Resolution No. 1152, approved 12-21-79, for sale of lot on Bates Street in the 4th Ward 29-B-145 to Linda Anne Swazuk for \$1,300.00. Sale is to be cancelled and hand money (\$130.00) forfeited.

Which was read.

Also,

Bill No. 1347

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties

acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 1348

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act P.L. 787 of 1937, as amended by Act No. 250 approved July 29, 1941."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Bill No. 1440

WHEREAS, a majority of people in the City of Pittsburgh do not own cars; and

WHEREAS, a 33% increase in fares would be an economic hardship on the poor, who use buses disproportionately; and

WHEREAS, it is in the best interest of

the businesses of the City to provide accessible bus service,

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh requests the Port Authority Transit Board and the Commissioners of Allegheny County to pursue any and all other options for additional funding prior to any rate increase.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Robinson seconded the motion.

Which motion prevailed.

Mr. Robinson moved to excuse Mr. Givens, Michelle Madoff and Mrs. Masloff for absence from this meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Robinson moved to approve the minutes of Monday, July 28, 1980.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Stone:

I move to adjourn this meeting and meet again on Tuesday, September 2, 1980 at 2:00 P.M.

Mr. Robinson seconded the motion.

Which motion prevailed.

and Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Tuesday, September 2, 1980

No. 33

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAV....Ass't City Clerk

Pittsburgh, Pa.

Tuesday, September 2, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1441 Resolution amending Resolution No. 87, approved 2/22/80, effective

2/23/80, entitled, "A Resolution providing for the issuance of a warrant in favor of Bouquet Construction Co. in the amount of \$6,123.00 in payment for Extra Work furnished for benefit of City in connection with Sidewalk Construction Various Locations.

Which was read and referred to the Committee on Finance.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1442 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Co. in the amount of \$7,196.00 in payment for work performed at Carnegie Library/Hill Branch, chargeable to and payable from 4-40-30-0975-76-910-75-01, in the Department of Public Works.

Also,

No. 1443 Resolution providing for the issuance of a warrant in favor of General Tire Service Co. in the amount of \$2,239.23 in payment for the purchase of Heavy Equipment Tires, furnished for the benefit of the City without previous authority of law and providing for payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1444 Resolution providing for an Agreement with Commonwealth of Pennsylvania, Department of Transportation for the removal and replacement of Traffic Signal Installations at various locations.

Also,

No. 1445 Resolution providing for an Agreement or Agreements with Modjeski & Masters for Professional Engineering Services in connection with the Greenfield Avenue Bridge; and providing for the payment of costs thereof. Cost not to exceed \$2,147.92.

Also,

No. 1446 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an automated lettering system and incidental lettering typing equipment (point heads, etc.) for the Department of Public Works, the cost of which is not to exceed \$2,400.00, chargeable to and payable from Code Account No. 1635, Equipment, Department of Public Works.

Also,

No. 1447 Resolution changing the name of Hooper St. from Forbes Ave. to Fifth Ave. in the First Ward of the City of Pittsburgh to Chatham Square.

Also,

No. 1448 Resolution vacating Maywood Street easterly 20 foot section to Maywood St. in the 26th Ward of the City of Pittsburgh.

Also,

No. 1449 Resolution authorizing the Director of Public Works to issue a permit to South Side Hospital to grade and fill the

unimproved portion of Edwards Way from 21st St. to 22nd St. at the vacated area in the 16th Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

Mr. Givens presented

No. 1450 Resolution providing for the issuance of a warrant in favor of P. B. & S. Chemical Co. in the amount of \$580.96 for the emergency purchase of chemicals furnished to the Water Department without previous authority of law, chargeable to and payable from Code Account No. 1750, Chemicals, Department of Water.

Also,

No. 1451 Resolution providing for the issuance of a warrant in favor of GMC Truck & Coach Division in the amount of \$11,131.80 for emergency repairs to City vehicles without previous authority of law, chargeable to and payable from Code Account No. 1150, Outside Repairs, Contract, Department of Supplies.

Also,

No. 1452 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc. in the amount of \$2,935.00, for emergency repairs furnished to a City fire truck without previous authority of law, chargeable to and payable from Code Account No. 1150, Outside Repairs, Contract, Department of Supplies.

Also,

No. 1453 Resolution providing for the issuance of a warrant in favor of Emery Car Center Inc. in the amount of \$801.21 for the purchase of light bars to be used on police cars without previous authority of law, chargeable to and payable from Code Account No. 1148, Automotive Parts, Department of Supplies.

Also,

No. 1454 Resolution providing for the

issuance of a warrant in favor of Sol's Stores in the amount of \$21,040.50 for the emergency purchase of pistols for the Police Department without previous authority of law, chargeable to and payable from Code Account No. 1457, Equipment, Department of Police.

Also,

No. 1455 Resolution providing for the issuance of a warrant in favor of Nalco Chemical Company in the amount of \$16,920.00 for the purchase of Chemicals furnished to the Water Department without previous authority of law, chargeable to and payable from Code Account No. 1750, Chemicals, Department of Water.

Also,

No. 1456 Resolution providing for a Lease from the Buncher Company for the use of the Keystone State Flea Market parking area as a driver training site.

Also,

No. 1457 Resolution amending Resolution Number 728 of 1980, approved August 14, 1980, entitled, "PROVIDING for an Agreement or Agreements with Burlington Fleet Services, a division of Burlington Industries, for professional consulting services in connection with the management of the City's vehicle fleet; and providing for the payment of the cost thereof." by deleting Burlington Fleet Services and inserting Automated Fleet Services.

Which were severally read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1458 Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, 4767 Rt. 8, Allison Park, PA 15101, in the amount of \$2,950.00, chargeable to and payable from the Rapid Sand Filtration Plant Trust Fund.

Also,

No. 1459 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA. 15236, in the amount of \$2,869.00, chargeable to and payable from Code Account 1714 Materials, Department of Water.

Also,

No. 1460 Resolution transferring \$17,000.00 from Code Account Nos. 1700, 1795 and 1796 to Code Account No. 1796 Contingency Fund Unexpended Salaries.

Also,

No. 1461 Resolution transferring \$137,000.00 from Code Account No. 1703, Utilities, to Code Account No. 1714, Materials and Code Account No. 1701, Miscellaneous Services within Department of Water.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1462 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of compactors for the Department of Water, the cost of which is not to exceed \$3,000.00, chargeable to and payable from Code Account No. 1706, Department of Water.

Also,

No. 1463 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an air power boring machine and incidental equipment (drill rod, cutting head, etc.) for the Water

Department, the cost of which is not to exceed \$4,500.00, chargeable to and payable from Code Account No. 1706, Equipment, Department of Water.

Also,

No. 1464 Resolution repealing Ordinance No. 699, approved 11/17/75 entitled, "Providing for the letting of a contract or contracts for the installation of a chain link fence in the amount not to exceed (\$20,000.00), chargeable to and payable from Bond Fund No. 228, General Obligation Bonds of 1974, Series "A" Department of Water.

Also,

No. 1465 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval to convert gate turner (TM-1) to a current model (TM-3) at a cost not to exceed \$4,000.00.

Also,

No. 1466 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Superintendent Edward Blair to attend Steam Power Plant Supervisory Training Program, Milwaukee, Wisconsin, September 22-26, 1980, at a cost not to exceed \$1,200.00 payable from Code Account 1701, Miscellaneous Services, Administration Division, Department of Water.

Which were severally read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1467 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son Inc. in the amount of \$6,064.10 in payment for work performed at Ammon Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1468 Resolution authorizing the issuance of a warrant in favor of Demon Electric Company, in the amount of \$9,964.00, in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1469 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$2,592.35 Dollars, in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1470 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$1,118.00 Dollars, in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1471 Resolution authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$1,957.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1472 Resolution authorizing the issuance of a warrant in favor of Allison Park Landscape Contractors, in the amount of \$2,575.00 Dollars, in payment for work performed at Marmaduke Playground, furnished for the benefit of the City without

previous authority of law, and providing for the payment thereof.

Also,

No. 1473 Resolution authorizing the issuance of a warrant in favor of Andrew Metz Plumbing Company, in the amount of \$487.13 Dollars, in payment for work performed at Olympia Park Recreation Center, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1474 Resolution authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$4,010.00 Dollars in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1475 Resolution authorizing the issuance of a warrant in favor of Penn Landscape and Cement Work in the amount of \$3,506.70 in payment for work performed at Schenley Park Oval, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1476 Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$10,725.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1447 Resolution authorizing the issuance of a warrant in favor of Beredo Construction Company in the amount of

\$4,317.00 in payment for work performed at Olympia Park Recreation Center, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 1478 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Incorporated in the amount of \$1,163.89 in payment for work performed at Arlington Gymnasium, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1479 Resolution providing for an Agreement or Agreements with the Architects of the new West End Shelterhouse, the Westwood Pool, and the Highland Bathhouse for professional services in connection with the design and installation of works of art at these locations; and providing for the payment of the cost thereof. Cost not to exceed \$8,200.00.

Also,

No. 1480 Resolution amending Resolution 249, effective April 11, 1980, entitled: "Providing for an Agreement or Agreements with the Hill Top United Methodist Church for the design and renovation of the Allentown Senior Citizen Center portion of the church and providing for the payment of the cost thereof." by changing the party of the agreement. Cost not to exceed \$50,000.00.

Also,

No. 1481 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with Ormsby Pool and providing for the payment of the cost thereof. Cost not to exceed \$30,000.00.

Also,

No. 1482 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof. Cost not to exceed \$50,000.00.

Also,

No. 1483 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of 17" Hand Propelled Trimming Mowers for the Department of Parks and Recreation, the cost of which is not to exceed \$4,025.00, chargeable to and payable from Code Account No. 1808, Equipment, Department of Parks and Recreation.

Also,

No. 1484 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a backhoe bucket and backhoe mounting kit for the Zoological Park Commission, the cost of which is not to exceed \$5,550.00, chargeable to and payable from Code Account No. 1859, Equipment, Zoological Park Commission.

Also,

No. 1485 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of appliances (refrigerators) for the Department of Parks and Recreation, the cost of which is not to exceed \$4,640.00, chargeable to and payable from Senior Citizens Program Trust Fund (SCPTF), Equipment, Department of Parks and Recreation.

Also,

No. 1486 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture (chairs, tables, etc.) for the Senior Citizens Centers, the cost of which is not to exceed \$5,672.00, chargeable to and pay-

able from Code Account No. 1843, Equipment, Department of Parks and Recreation.

Also,

No. 1487 Resolution providing for a contract or contracts for the removal of dead and diseased trees in public rights-of-way and parks and providing for payment of the cost thereof. Cost not to exceed \$50,000.00.

Also,

No. 1488 Resolution providing for the letting of a contract or contracts for the replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof. Cost not to exceed \$30,000.00.

Also,

No. 1489 Resolution providing for the letting of a contract or contracts for construction of improvements at South Side Park; and providing for the payment of the cost thereof. Cost not to exceed \$115,000.00.

Also,

No. 1490 Resolution repealing Resolution No. 1389, approved December 8, 1978, effective December 14, 1978, entitled: "Providing for a Contract or Contracts or Use of Existing Contracts for the Repair of Restrooms at Ammon Recreation Center and providing for the payment of the cost thereof."

Also,

No. 1491 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment for extra work in connection with the General Contract at Broadhead-Fording Tennis Courts in the amount of \$14,163.50.

Also,

No. 1492 Communication from Louise



R. Brown, Director, Department of Parks and Recreation, requesting interim approval of extra work in connection with the Marmaduke Playground Project at cost of \$1,300.00.

Which were severally read and referred to the Committee on Parks and Recreation.

Also,

No. 1493 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$360.42 for emergency repairs of electric walk at the Pittsburgh Zoo.

Which was read and referred to the Committee on Finance.

Also,

No. 1494 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for one staff member to attend American Horticultural Society's Congress Educational Symposium, St. Louis, Mo., September 16-20, 1980, at cost not to exceed \$635.00, payable from Code Account 1811, Phipp's Expenses, Department of Parks and Recreation.

Also,

No. 1495 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment for extra work in connection with the general contract for the construction of the Magee Recreation Center at a cost not to exceed \$2,828.00.

Which were read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1496 Resolution providing for the issuance of a warrant in favor of Bastian Brothers Company, in the amount of \$727.20, in payment for one hundred Pittsburgh Police Badges, chargeable to and

payable from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police.

Also,

No. 1497 Resolution authorizing the issuance of a warrant in the amount of \$273.00 in favor of Aul & Karlovits, Inc., 513 Second Avenue, Pittsburgh, Pa., 15219, in payment for emergency transcription done by a stenographic reporter of a Trial Board without previous authority of law.

Also,

No. 1498 Resolution transferring the sum of \$78,000.00 from Code Account No. 1461, Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-2, In Grade Pay, within the Department of Fire.

Also,

No. 1499 Resolution transferring the total sum of \$72,000 from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1447, Miscellaneous Services (\$70,000), and Code Account No. 1451, Repairs (\$2,000).

Which were severally read and referred to the Committee on Finance.

Also,

No. 1500 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Pressure Demand Air Masks for the Fire Department, the cost of which is not to exceed \$12,000.00, chargeable to and payable from Code Account No. 1468, Equipment, Department of Fire.

Also,

No. 1501 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of typewriters for the Police Department, the cost of which is

not to exceed \$4,000.00, chargeable to and payable from Code Account No. 1452, Equipment, Department of Police.

Also,

No. 1502 Resolution amending Resolution No. 842 of 1979, approved September 26, 1979, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) stretchers for the Department of Emergency Medical Services, at a cost not to exceed \$3,500.00, chargeable to and payable from Code Account No. 1423, Equipment, Department of Emergency Medical Services." by increasing the amount from \$3,500.00 to \$4,360.00.

Which were severally read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1503 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from "R4" Multiple-Family Residence District to "A1" Commercial Residential Associated District all that certain property bounded by: 44TH STREET; GARDEN WAY; Block 49-L, Lots Numbered 246 and 242 in the Allegheny County Block and Lot System, 9th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1504 Resolution transferring \$26,000 from Code Account 42-2, Contingent Fund to Code Accounts 1376 and 1378 of Bureau of Building Inspection, Housing Department.

Which was read and referred to the Committee on Finance.

Also,

No. 1505 Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, to

the Public Housing Authority of the City of Pittsburgh to construct a 5-story, 30-unit Housing for the Elderly facility on property located on Brookline Boulevard, east of STEBBINS AVENUE, 19th Ward.

Also,

No. 1506 Resolution approving a Conditional Use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, for construction of an 11-story, 101 unit housing for the elderly on property zoned "R4" and "C3" Districts having frontage on CENTRE AVENUE, DINWIDDIE STREET, DEVILLIERS STREET and ROSE STREET, 3rd Ward.

Also,

No. 1507 Resolution issuing a Certificate of Appropriateness for a new building to be constructed at the southeast corner of Market Square (a/k/a the PPG Relocation Building "D"), Lot and Block 1-H-179, in the Market Square Historic District, 1st Ward.

Also,

No. 1508 Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 430 Market Street, Lot and Block 1-D-165, in the Market Square Historic District in the 2nd Ward.

Also,

No. 1509 Resolution approving application of Housing Authority to apply to Federal Housing & Urban Development Secretary for \$35,000 preliminary loan for Surveys & Planning in connection with low-rent housing projects.

Also,

No. 1510 Resolution amending Resolution 148 (78) defining the term "eligible housing" by increasing the adjusted family income limits for persons seeking funds for

the rehabilitation of low to middle income housing from \$25,000 to \$30,000 per year.

Also,

No. 1511 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Reilly to attend "Tax Exempt Bond Market Finance for Housing, Action Grant Projects, and Urban Rehabilitation in 1980-1981" Seminar, Washington, D.C., September 18-19, 1980, at cost not to exceed \$350.00, payable from Department of Housing, CDHDA, Administration (HD-79-08), 4-15-10-0013-79-08-79-15.

Also,

No. 1512 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Reilly to attend NAHRO's 1980 National Convention, New York City, October 11-15, 1980, at cost not to exceed \$830.00, payable from Department of Housing, CDHDA, Administration (HD-79-08), 4-15-10-0013-79-08-79-15.

Also,

No. 1513 Petition from residents of the 7th Ward opposing the Public Housing Agency's proposed project, PA1-40, for an 18 unit multiple family residence in their neighborhood. (vicinity of Claybourne and South raham).

Also,

No. 1514 Communication from Edward D. deLuca, Director, Department of City Development, submitting Annual Overall Economic Development Program Report and Program Projection for 1979.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1515 Resolution providing for the

issuance of a \$1,062.50 warrant in favor of Dorothy M. Kamin, Daniel G. Kamin, Robert S. Kamin, Herman Kamin, Jr. and Pittsburgh National Bank, in Trust for Herman Kamin in settlement of claim for tree root damage to sidewalk at 5812-5840 Elmer St., charging same to Code Account No. 46, Judgments.

Michelle Madoff:

What is the amount on that please?

Mr. McCray:

\$1,062.50.

Michelle Madoff:

Excuse me, Mr. Stone are you familiar with this situation?

Mr. Stone:

I don't know exactly what you are talking about, we are introducing a bill.

The Chair:

It's a tree that uprooted a sidewalk.

Michelle Madoff:

The reason I am asking, I was going to bring it up after the meeting as an item, we — I don't know whether you were here at the last meeting, but some people pointed out to me — two people — one with lots of funds and one without money, that a tree had uprooted their property and because of the square footage involved they are getting something like \$80.00 back and they have legitimate bills from the contractor that came to well over \$300 or \$400, and I hope this isn't isolated that we pay just those that we want to pay and take the little guys and make them go sue us. I think we need some legislation similar to the "curb to the main" type of legislation.

I think Mr. DePasquale concurred with me on that.

**The Chair:**

Yes.

Also,

No. 1516 Resolution providing for the issuance of a \$850.00 warrant in favor of State Farm Fire & Casualty Co. and Arthur & Rose Wolf, for property damage by a Department of Public Works Roller, charging same to Code Account No. 46, Judgments.

Also,

No. 1517 Resolution providing for the issuance of a \$862.50 warrant to Jack & Marlene Josowitz in full settlement of claim for tree root damage to the sidewalk at 5870 Phillips Avenue, charging same to Code Account No. 46, Judgments.

Also,

No. 1518 Resolution providing for the issuance of warrants to Duquesne Light Company; Irwin Izenson and Anne Izenson, his wife and David Izenson; Christopher Passodelis and Catherine Passodelis, his wife and Dinner Bell, Inc., Federal Emergency Management Administration, in the total sum of \$105,300.00 in full settlement of claims for damages as a result of a water main break at intersection of Liberty Avenue and Smithfield Street on or about June 18, 1977.

Also,

No. 1519 Resolution authorizing issuance of a warrant to Grogran, Graffam, McGinley, Solomon & Lucchino, Attorneys at Law, in the amount of \$285.00, for services rendered to City Council without previous authority of law, payable from Code Account 1001-2, Services and Salaries of Council.

Also,

No. 1520 Resolution providing for the issuance of a warrant in favor of Air &

Power Service Company in the amount of \$577.00 in payment for labor and related installation services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1521 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$249,500.00 from the listed code accounts in the following amounts covering unspent monies from various salary accounts from June 30, 1980, through July 27, 1980.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion

Which motion prevailed.

Also,

No. 1522 Resolution transferring \$8,500.00 from Code Account No. 49, Reserve Fund, Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 40, Interest on Tax Refunds, Department of City Treasurer.

Also,

No. 1523 Resolution providing for a Supplemental Agreement with Psychological Service of Pittsburgh to increase the authorized amount from \$15,000.00 to \$20,000.00 for professional services in connection with the research, preparation, evalua-

tion, administration, and validation of Civil Service entrance and promotional examinations.

Also,

No. 1524 Communication from Richard S. Caliguiri, Mayor, Mayor's Office, requesting permission for two of Mayor's Staff to attend Prevention of Fraud, Waste and Abuse Conference, University of Pittsburgh, Pittsburgh, PA., October 5-7, 1980, at a cost not to exceed \$400.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1525 Communication from Melanie Smith, Director, Department of Personnel and Civil Service, requesting permission for Regina Hanna and Malcolm Taylor to attend State Employment and Training Council Plan Review Council Meeting, Harrisburg, Pa., September 3, 1980, at cost not to exceed \$350.00, payable from CETA Trust Fund, Federal Funds.

Also,

No. 1526 Communication from John E. McGrady, City Controller, submitting audit report of the Policemen's Relief and Pension Fund of the City of Pittsburgh for the period from July 1, 1979, to June 30, 1980.

Also,

No. 1527 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and Market Value of collateral security pledged by City Depositories to secure same as of June 30, 1980.

Also,

No. 1528 Communication from John E. McAllister, Manager, City Information Systems, to attend Fall 1980 Regional Conference of American Society for Public Administration, Hershey, Pa., October 1-3, 1980, at a cost not to exceed \$285.00, pay-

able from Code Account No. 1043, Miscellaneous Services, Bureau of City Information Systems.

Also,

No. 1529 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for Mrs. Barbara Funari to attend Statistical Package of the Social Sciences Conference, Alexandria, Va., October 5-8, 1980, at cost not to exceed \$600.00 payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 1530 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for John E. McAllister to attend Fraud, Waste, and Abuse Seminar Opening Banquet, University of Pittsburgh, Pittsburgh, PA, October 5, 1980, at cost not to exceed \$15.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 1531 Communication from Al Benedict, Audit General, Commonwealth of Pennsylvania, submitting Audit Report of the Liquid Fuels Tax Fund for the period January 1, 1979, to December 31, 1979.

Which were severally read and referred to the Committee on Finance.

#### MOTIONS AND RESOLUTIONS

Mr. Flaherty presented

No. 1532

WHEREAS, the people of Poland have overcome what has generally been considered to be insurmountable odds in their strivings for basic human rights and human dignity, and free and independent trade unions, and

WHEREAS, the men and women of

Poland have set a historic precedent in demonstrating to the rest of the world that peaceful action against an oppressive form of government can be successful; and

WHEREAS, the City of Pittsburgh is proud of its citizens of Polish ancestry and heritage of free labor unions;

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh salute the courageous and historic action of the Polish people and their free trade union leaders, including Lech Walesa, in their successful exemplary demeanor in resolving peacefully their action to bring about a free trade unionist movement to Poland.

The Mayor and the members of the Council of the City of Pittsburgh hope and pray that these fundamental rights will be respected long after the glare of publicity has dimmed from the world's eye.

Which was read.

Mr. Flaherty moved for adoption.

Mr. Givens seconded the motion.

Which motion prevailed.

Michelle Madoff:

As one of Polish extraction, I will triple it.

Mr. Givens:

Mr. President I would like to add one comment to that particular resolution, that is the fact of the Polish people themselves and the fact of the courage that they had in doing what they did. The fact that it was not brought out in the media as much as the people did this complete almost revival of their union movement there, to form their pre-unions, and they did it without any violence whatsoever, in fact, some of the films that I had seen in the news media,

showed the people Tom, kneeling down in prayer. There was not one overturned vehicle, there was not one person that was abused, there was no fist fighting going on, no display publicly other than that of peaceful movement of prayer for the movement within that country, and I think that is something that should be highlighted, that that did come about and could come about in a country as Poland, and this shows everyone the deep faith that the Polish people have and what prayer can do to move government.

The Chair presented

No. 1533

WHEREAS, our Pittsburgh School District has started a school desegregation program today; and

WHEREAS, the plan will hopefully be a good one and deserves a chance; and

WHEREAS, our school children of all ages deserve the opportunity to receive a good education; and

WHEREAS, it is incumbent upon us as public officials to set a good example for a stable community; and

WHEREAS, our judicial system has decided that a plan must be implemented immediately,

NOW, THEREFORE,

BE IT RESOLVED that the Members of the Council of the City of Pittsburgh urge the residents of the City of Pittsburgh to accept the school integration plan and allow it to be implemented without any violence or hindrance of any sort so that it can be carried out immediately.

Which was read.

The Chair:

Ladies and gentlemen, very simply, this plan has its good points and bad points, but

as the saying goes, it is our only plan, I just think it has the right to be implemented without any violence of any sort or any disorders, at least be given a chance and if we don't implement it we are not going to see how it works anyway. This is it, it is our only plan and they are going ahead with it and hopefully, the way it looks now, the residents of the City of Pittsburgh will go along with it and it will be done in an orderly fashion.

**Michelle Madoff:**

Mr. President, has our Mayor made any statement on the integration plan?

**The Chair:**

I think he did, there was something over the weekend asking the people of the City of Pittsburgh to allow it to be implemented without any type of disorder.

**Michelle Madoff:**

I have been away and the last newspaper that reached me out of town said that he had not made any comment.

**The Chair:**

There were editorials in the newspapers and I believe they quoted the Mayor as saying that the plan deserved a chance and would the citizens of the City of Pittsburgh go along with it.

**Michelle Madoff:**

I think it is important that the leadership of this City, both Council and the Mayor say that.

**The Chair:**

We are well aware that there are quite a few pros and cons, but at the same time, as I say, it is our stepchild, it is our only thing and we have to go with it.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**The Chair presented**

**Bill No. 1534**

Communication for Mayor Caliguiri appointing George Whitmer of 5414 Coral Street, Pittsburgh, PA 15206, as a member of the Stadium Authority for a term to expire January, 1982.

Which was read, received and filed.

Also,

**Bill No. 1535**

Communication from Mayor Caliguiri re-appointing Gerald Fox of 7124 Apple Way, Pittsburgh, PA 15206, as a member of the Board of Adjustment for a term to expire January, 1983.

Which was read, received and filed

Also,

**Bill No. 1536**

A Resolution entitled, "Resolution approving the re-appointment by the Mayor of Gerald Fox of 7124 Apple Way as a member of the Board of Adjustment for a term to expire January, 1983."

Which was read.

Also,

**Bill No. 1537**

Communication from Mayor Caliguiri appointing Joseph Mistick of 14 Brosville Street, Pittsburgh, PA 15203 as a member of the Board of Adjustment for a term to expire January, 1982.

Which was read, received and filed.

Also,

**Bill No. 1538**

A Resolution entitled, "Resolution approv-

ing the appointment by the Mayor of Joseph Mistick of 14 Brosville Street, Pittsburgh, PA 15203, as a member of the Board of Adjustment for a term to expire January, 1982."

Which was read.

Also,

Bill No. 1539

Communication from Mayor Caliguiri appointing Leon W. Howard, Jr. of 304 S. Graham Street, Pittsburgh, PA 15206, as a member of the City Planning Commission for a term to expire January, 1986.

Which was read, received and filed.

Also,

Bill No. 1540

A Resolution entitled, "Resolution approving the re-appointment by the Mayor of Leon W. Howard, Jr. of 304 S. Graham Street, Pittsburgh, PA 15206, as a member of the City Planning Commission for a term to expire January, 1986."

Which was read.

Also,

Bill No. 1541

Communication from Mayor Caliguiri appointing Joseph Mistick of 14 Brosville Street, Pittsburgh, PA 15203 as a member of the Planning Commission for a term to expire January, 1982.

Which was read, received and filed.

Also,

Bill No. 1542

A Resolution entitled, "Resolution approving the appointment by the Mayor of Joseph Mistick of 14 Brosville Street, Pittsburgh PA 15203, as a member of the City

Planning Commission for a term to expire January, 1982."

Which was read.

Also,

Bill No. 1543

Communication from Mayor Caliguiri appointing Ruth Perfido of 5304 Pembroke Place, Pittsburgh, PA 15232, as a member of the Planning Commission for a term to expire January, 1986.

Which was read, received and filed.

Also,

Bill No. 1544

A Resolution entitled, "Resolution approving the appointment by the Mayor of Ruth Perfido of 5304 Pembroke Place, Pittsburgh, PA 15232 as a member of the Planning Commission for a term to expire January, 1986."

Which was read.

Also,

Bill No. 1545

Communication from Mayor Caliguiri re-appointing Robert Whitehill of 1443 Inverness Street, Pittsburgh, PA 15217, as a member of the City Planning Commission for a term to expire January, 1986.

Which was read, received and filed.

Also,

Bill No. 1546

A Resolution entitled, "Resolution approving the re-appointment by the Mayor of Robert Whitehill of 1443 Inverness Street, Pittsburgh, PA 15217, as a member of the City Planning Commission for a term to expire January, 1986."

Which was read.



Also,

Bill No. 1547

Communication from Mayor Caliguiri appointing Susan P. Warner of 5928 Elwood Street, Pittsburgh PA 15232 as a member of the Art Commission for a term to expire December 31, 1981.

Which was read, received and filed.

Also,

Bill No. 1548

A Resolution entitled, "Resolution approving the appointment by the Mayor of Susan P. Warner of 5928 Elwood Street, Pittsburgh, PA 15232, as a member of the Art Commission for a term to expire December 31, 1981."

Which was read.

Also,

Bill No. 1549

Communication from Mayor Caliguiri appointing Donna Nardini of 813 Hastings Street, Pittsburgh, PA 15217 as a member of the Human Relations Commission for a term to expire July, 1982.

Which was read, received and filed.

Also,

Bill No. 1550

A Resolution entitled, "Resolution approving the appointment by the Mayor of Donna Nardini of 813 Hastings Street, Pittsburgh, PA 15217 as a member of the Human Relations Commission for a term to expire July, 1982."

Which was read.

Also,

Bill No. 1551

Communication from Mayor Caliguiri re-

appointing Mary Cherubin of 58 Maytide Street, Pittsburgh, PA 15227 as a member of the Sinking Fund Commission for a term to expire December 31, 1983.

Which was read, received and filed.

Also,

Bill No. 1552

A Resolution entitled, "Resolution approving the re-appointment by the Mayor of Mary Cherubin of 58 Maytide Street, Pittsburgh, PA 15227, as a member of the Sinking Fund Commission for a term to expire December 31, 1983."

Which was read.

Also,

Bill No. 1553

Communication from Mayor Caliguiri appointing Belinda Davis of 707 Forward Avenue, Pittsburgh, PA 15217, as a member of the Sinking Fund Commission for a term to expire December, 1981.

Which was read, received and filed.

Also,

Bill No. 1554

A Resolution entitled, "Resolution approving the appointment by the Mayor of Belinda Davis of 707 Forward Avenue, Pittsburgh, PA 15217, as a member of the Sinking Fund Commission for a term to expire December, 1981."

Which was read.

The Chair:

It has been our custom to wait a couple of weeks in regard to new appointees, we do use discretion sometimes in regards to a re-appointment, but some Councilmembers have asked to also interview re-appointments, so what is your pleasure?

**Mr. Stone:**

Mr. President, if I may, let me deal with the first two if I can. Relative to George Whitmer, while Council does not have any say in whether he can be or not be there, I think this Council should be aware that since Mr. Lally has now become the Executive Director, City Council does not have a representative at the Stadium Authority.

The Home Rule Charter calls for a City Councilman to be a member of that Board, I think the Mayor ought to be so informed by a letter from this body indicating that the Home Rule Charter calls for a Councilman to be a member there and that we request that he do that, in fact, I think he should have done that instead of appointing Mr. Whitmer to that particular position and then at some other time if there were a vacancy, I think then is the time that Mr. Whitmer should have been appointed.

**The Chair:**

If I may, Mr. Stone, in regard to Mr. Whitmer's appointment, I had a discussion with the Mayor on that and I thought that it should have been a member of Council, as you say, with Mr. Lally moving up, he is no longer a member of Council, but I guess he had the right to finish out his term, until then we could make no move, but according to the Charter, if I read it correctly, a Councilmember should be on there and with Mr. Lally moving out, that replacement should have been done by a member of Council.

Now, the Mayor informs me that at the present time he doesn't have to, he says technically he doesn't and he is going along with that ruling from the Law Department. What he intends to do in the future I don't know, I told him I thought it was a bad move, immediately there should be a Councilmember on and he shouldn't be thinking about not putting a Councilmember on that Board.

**Michelle Madoff:**

Excuse me, what rule of the Law Department.

**Mr. Givens:**

Is that not a conflict of interest Mr. President, being Executive Director and also a member of the Board? You can't be that.

**The Chair:**

The Executive Director is not a member of the Board, Dick.

**Mr. Stone:**

No, Mr. Whitmer is being appointed —

**Mr. Givens:**

No, I said the conflict of interest — you are saying Mr. Lally is now —

**The Chair:**

Mr. Lally has been appointed Executive Director by the Stadium Authority, that is a paying job.

**Mr. Givens:**

And he is still acting as —

**The Chair:**

No, he is no longer a member of the Authority, and as I said, he was no longer a Councilmember as we were well aware, but he was allowed to finish his term out, but once his term was completed or he moved up as he did, or into another position, that vacancy I believe, should have been filled by a Councilperson, I think legally there is quite an argument there.

**Mr. Givens:**

Do they have the full compliment now on the Authority Board?

**The Chair:**

Sure — when Mr. Lally moved up there was a vacancy. Mr. Whitmer is replacing Mr. Lally so there is no vacancy now.

**Mr. Givens:**

The Mayor has to be in violation of the City of Pittsburgh.

**The Chair:**

Well he is willing to take that risk Dick, as far as the appointment goes we have no right of approval or disapproval.

**Mr. Givens:**

We can't approve or disapprove his appointments, but the Mayor is in violation, I think what Mr. Stone indicated is correct.

**The Chair:**

I definitely think we should have Mr. Mulvihill in for a legal opinion.

**Mr. Stone:**

Mr. President if I may, I don't think we should vote here in any respect relative to Mr. Whitmer, but I still think a letter should go to the Mayor that that appointment should be to a Councilmember, if there is some other vacancy that is coming up, Mr. Whitmer, by his choice could be appointed to that but I think that the Home Rule Charter calls for a Councilperson nominee, a Councilperson nominee has terminated and that vacancy should be filled by a Councilperson nominee.

**The Chair:**

I couldn't agree with you more but I believe Judge Block is going to move off there, I think that is some sort of conflict of interest and it is a matter of time before he moves on, but I agree with you on the vacancy.

**Mr. Stone:**

I think this Council ought to send a letter to that effect and I don't think we should take any official action because I don't think we are supposed to anyway on Mr. Whitmer's appointment because the Mayor has that right to appoint without consent of Council.

**Mr. O'Malley:**

I second Mr. Stone's motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. DePasquale you made a statement and I think I heard you correctly, the Mayor in discussion with you explained that there was a legal precedent, that he didn't know what he would do later, but legally he has this authority. I would like to see that legal authority. May I respectfully request that we get a copy of his legal authority to appoint —

**The Chair:**

The letter that Mr. Stone suggested should get us the answer.

**Michelle Madoff:**

But I would also like to see this legal opinion that supercedes the Home Rule Charter that he says he has as an interim.

**The Chair:**

I think it is in order to ask Mr. Stone, if he will do it to ask Mr. Mulvihill in tomorrow to give us some —

**Mr. Stone:**

Well, I think, that is what I am leading to, I would like first of all this letter to come from Council and then after that I think we ought to ask our City Solicitor for an opinion relative to that matter. I can almost predict what the decision will be,

but I would like to have it in writing so that one of these days when the legal opinion comes outright, he may find himself in contradiction.

**The Chair:**

It's just as was said a long time ago, we never really have had a clarification on the Home Rule Charter, I mean people just seem to do anything they want with it.

**Mr. Stone:**

There is no way you can take a Councilperson vacancy and not fill it with a Councilperson when the Home Rule Charter so dictates. Now, if he can come out with a different opinion on that I think he ought to have the courage to put it right. But at any rate, I have a motion and a second.

**The Chair:**

I think you would even question Mr. Lally serving there when he was no longer a Councilmember, not particularly that we wanted him out of there, just the fact that there was no Councilmember on because he no longer was a member of Council, but I could talk until I'm blue in the face on that one.

**Mr. Stone:**

Now, on Gerald Fox, he has been there for some time and he is being re-appointed. I don't believe it would help us to bring him up here and quiz him again on this matter, I would like to move to approve his appointment now.

**Michelle Madoff:**

I'd like to second that, he is an excellent gentleman, he is doing a very fine job.

**The Chair:**

I'd go along with that with one exception. I think as members of Council, I myself have never seen the gentleman appar-

ently he is doing a good job and he is very competent, but I am just curious that the Councilmembers should become acquainted with him. I know I wouldn't know him if I fell on him and I think there are other Councilmembers here in the same boat.

**Mr. Givens:**

Mr. President, I only have one comment — always we have questioned the fact of the attendance of those people who are put in for a second term and I would assume that they would have a good attendance record at their various committees and authorities that they are representing, but I think we promised ourselves once before that we would have some type of attendance record of those people who are going to be up for either re-appointment — especially re-appointment.

**Mr. Stone:**

That is correct, let me change it then. For all these appointees, if they could possibly have them up here tomorrow it might help, because it is a short meeting because I think everything that is going to come up is going to come up the following Wednesday and maybe we could take care of them tomorrow if we can with dispatch call all of them.

**Michelle Madoff:**

Are you suggesting Mr. Stone that we don't move on Mr. Fox today and have them all come in tomorrow if possible?

**Mr. Stone:**

If somebody wants to meet them, bring them in tomorrow — all of the appointees.

**The Chair:**

That will involve some phone calls be made right after the meeting.

**Michelle Madoff:**

I withdraw my second.

**Mr. Stone:**

I withdraw my motion of Mr. Fox.

**Michelle Madoff:**

You raised an issue that perhaps since we have a short meeting we might want to deal with and have somebody from the Mayor's Office there tomorrow, why don't we just have somebody there tomorrow to explain to us about the Whitmer appointment and I would like to take the question you raised. I personally think Mr. Lally is an excellent choice for the Stadium Authority, he has been there since they put the first brick up, but I would like to know if that is the Mayor's prerogative, I just don't know, or is that something Council should have voted on, I'm not sure, I would like to get some clarification.

**Mr. Stone:**

The Members of the Stadium Authority vote for the Executive Director.

**Michelle Madoff:**

I see, then we don't need any clarification, that is pretty clear.

**Mr. Stone:**

Mr. President, if I may, on the last appointment, we have being presented here, Mr. Mistick, I think it would be wrong for this Council to even begin to act on this one unless in fairness there were some comment made about the gentleman he is to succeed. That is Mr. Paul Sullivan. Mr. Sullivan has a lot of years there, Mr. Sullivan is a lawyer, from my understanding he was a pretty good lawyer, well respected in the legal community. He chose and gave a lot of dedication to this particular position. I think he probably spent more time that most lawyers would have spent in that particular job. He gave it all he could and I would like the record to reflect, and I think a letter ought to come from this Council that we on behalf of the City of Pittsburgh appreciate the dedication, the

devotion and service over many years, by Paul Sullivan to the City of Pittsburgh there in that capacity.

By way of a personal note, I don't know of any instance in which I have seen this particular man not give a 100% effort in everything that he possibly did there and I think, as I have indicated, a comment ought to go, a letter of appreciation to him for his service.

We don't have the power to overrule his replacement at this time, the only decision for us is whether or not the present candidate is to be substituted for him. That is a decision and that is a right in the jurisdiction, to remove, or not to re-appoint might be a better way to say it in this case, but I would not like it to pass that there weren't some good comments made about a man who I think was a good dedicated governmental official over the many years that he has served us and that is Paul Sullivan.

**The Clair:**

I think we all concur with your opinion. I certainly know that his conscience was very decisive in his rulings. If Mr. Sullivan thought something was wrong he said so, if he thought it was right he said so, his conscience was his guide and he did a wonderful job.

**Michelle Madoff:**

Excuse me, I've been out of the picture for a while and I wonder if somebody would just fill me in, did Mr. Sullivan's term expire? It seems to me that in my conversation with the Mayor not too long ago, Mr. Sullivan was appointed — he serves on two different boards and because he served on one he served on the other, that was the rule. Now, is Mr. Sullivan's term expired, is he retiring? Has he been asked to leave? What happened?

**Mr. Stone:**

It is my understanding that his pre-

vious term had expired, he was not re-appointed, he was just serving until some successor was —

**Mr. Givens:**

No, he is filling out the present term of Paul Sullivan, Paul Sullivan retired —

**The Chair:**

No, I think his term ran out and Bob is right, I don't think he was re-appointed, there was talk about him being re-appointed but he never was.

**Mr. Stone:**

It is my understanding that he was not re-appointed to a new term, so his original term ended. There is still a term for which nobody was appointed —

**Michelle Madoff:**

Not so, the Mayor appointed him.

**Mr. Stone:**

Paul was not appointed for that new term, he was just left in to stay, because there was some question last week when I asked Bill about it. There was no one appointed and therefore he just continued on until some successor was appointed.

**Michelle Madoff:**

Excuse me, that is not true.

**The Chair:**

I think he was serving in sort of an interim capacity.

**Mr. McCray:**

If you don't mind I would like to say something — I contacted Mr. Stone, Mr. Stone gave me an answer, I also contacted the legal department pertaining to this and I also talked to Ed Albert about this. I got all these different ideas, so I wanted to get

a third idea that is why I called the Law Department. The Law Department stated that this was not a major administrative unit and that the Mayor could make the appointment when he saw fit. It wasn't a major administrative unit, that is the answer from the Law Department. That the Mayor could appoint, take the man out of office when he saw fit.

**The Chair:**

At his behest in other words.

**Mr. Givens:**

The Planning Commission is set up by state law, and state law mandates that one will have a Planning Commission here, so I don't think it is as simple as you might say, the Mayor can appoint or re-appoint at will, but there are certain mandates set up by state law that controls the Planning Commission.

**Mr. McCray:**

I am only telling you what they told me.

**Mr. Givens:**

Well, I am just telling you what I read too.

**The Chair:**

Well, you raised a point, does the head of the Zoning Board have to be a member of the Planning Commission? I don't think so.

**Michelle Madoff:**

That is right and that is how he got appointed by accident by the Mayor last time, by accident, because that is what the Mayor told me.

**Mr. Stone:**

He will still hold the other position as I understand it.

**The Chair:**

Is that automatic?

**Mr. Stone:**

Well, he is still finishing out a term on another one, but as far as this one was concerned, the best information I have is he was not re-appointed to this one, but whether he was not re-appointed or whether he was appointed the Mayor still has a right to remove. That was a decision within the jurisdiction of the Mayor. The issue before us today is purely a matter, coming up at least whether Joe Mistick is the new man in that job, plus there is a vacancy.

**Mr. Givens:**

Mr. President, I would like to make one comment in regards to Paul Sullivan and my observation of Mr. Sullivan over the four and a half years that I have been on this Council. I think he has done probably more to stabilize the institution of the neighborhoods and to give the neighborhoods priority as far as the zoning in those particular neighborhoods to keep them in the family environment, be it one of two apartments or whatever, to keep that integrity and Paul has certainly done laborious work in that particular area and I know much time goes into the Planning Commission, especially from the Chairman of that Commission and others that have transpired, the rules that have been written for the City of Pittsburgh in regard to the Pittsburgh Code, as one example of what came out of the Planning Commission, Paul Sullivan and all of the people who serve on that particular board.

On the other hand, Joe Mistick I have known for a number of years also and I feel that Joe is a tremendous individual and a most capable person and I am sure will add great validity to this Planning Commission.

I have one question and I have to scratch my head, I don't know where Joe lives?

**Mr. Stone:**

He lives over in the South Side, 17th Ward.

**Mr. Givens:**

Did not Joe live down McKeesport way?

**Michelle Madoff:**

He moved in for the job, what difference does it make?

**The Chair:**

I just found out he became a lawyer.

**Mr. Givens:**

I just thought I'd throw the question up, I knew he was in the South Side, but I knew he was also —

**Michelle Madoff:**

Mr. DePasquale, I raised the issue and I would like an answer if I may, I want to know for my personal information, whether Mr. Sullivan was asked to resign, resigned, or whether the Mayor has a legal right to change his mind in mid-stream and re-appoint a man who has an appointment until 1982, and I want to know because I had a discussion with the Mayor when I first got here —

**The Chair:**

Your questions are inappropriate, I don't think it has any bearing on a replacement, I think it is a person, now if you want to ask —

**Michelle Madoff:**

Well, I think we should know whether the Mayor — everytime he has, you know, an itch, can say, "I'm going to change horses in mid-stream".

**The Chair:**

Michelle, if we can legally question the Mayor on this that is one thing, but he is within his rights to replace him, why he did is beside the point.

**Michelle Madoff:**

I just want to know if he has a legal right, I don't think the reason is relevant, if he wants to replace people that we have no control over, we could say we are not happy, but if he has that right he has that right. I know nothing about Mr. Mistick, I have to accept Mr. Givens' word. I just want to know why, if the appointment ran until 1982, did Mr. Sullivan resign, was he asked to resign, and what was the purpose of changing horses in mid-stream. I think it is a question we ought to know so that it will give us some insight into the machinations of the administration.

**The Chair:**

I think in light of his long and noble service, we deserve that much of an answer from the Mayor and I think we should get it.

**Mr. Stone:**

Mr. President, I would just still like to continue with my thought and it is a separate issue from what is coming up now. I would like to see and I hope we can be unanimous in this, that a letter go from this Council expressing a debt of gratitude to Paul Sullivan for all the years of service that he has given to the City of Pittsburgh.

**Michelle Madoff:**

Mr. Stone, wouldn't you like to do more than just a letter, don't you think we ought to give him a citation?

**Mr. Givens:**

I'll seconded Mr. Stone's motion.

Which motion prevailed.

**Michelle Madoff:**

I mean here has really been a dedicated public servant.

**Mr. Stone** moved to hold all appointments and re-appointments for two weeks.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**The Chair:**

Now, back to Motions and Resolutions, Michelle Madoff.

**Michelle Madoff:**

I want to clarify a couple of points — I would like to respectfully request that Mr. Perry —

**The Chair:**

For those of you who may not know, Mr. Perry has a broken foot.

**Michelle Madoff:**

I heard he broke his foot, that a resolution be drawn up that would cover damage caused by City trees, if a valid bill is presented by a city resident. I think it is terribly unfair when people go out — to give you an example of what happens, there is a big program going on in the City right now where the inspectors are going out and saying, "If you don't get that fixed in two weeks we will fine you \$500". And all the contractors are busy I know because I am trying to get a patio put in and I can't get a bid. I had three steps put in and it cost me \$100. Three brick stairs, three bricks fell out of my steps. They finally got someone to come out and do the work and the City is saying, "Too bad, we are only going to give you so much a foot", and it is like \$80 against a \$300 bill. I think that is grossly unfair and I would like to see an Ordinance, not a Resolution, an Ordinance introduced to amend that. We talked about it in Council and I think you agreed with me on that Mr. DePasquale.



Second item. I hate to start off after my vacation, but I did speak with you in the hall Mr. DePasquale and I think you owe me an apology and I'll tell you why. When I left here the day, to go on vacation, very weary I might add, I did not realize I was dropping a bomb when I turned over to Council the letter that I had received with reference to the census. I just felt I wasn't going to be here and maybe somebody else would follow through on it. It was not an anonymous letter, the person who wrote the letter spoke to two reporters, I know he spoke to one reporter at the Press, the person felt, rightly or wrongly, that they were subject to a \$5,000 fine, and one year in jail for giving out information, my understanding is that is not true as long as they don't give any private information.

The letter did not address itself to the overall area, it only addressed itself, when I found out that I was challenged to this bet — to the City, the actual City census, not the Greentree operation. When I called Mr. Campia in the city to tell him that I had had several phone calls substantiating what was in this letter but out of courtesy I wanted to tell him because Channel 2 had asked me to do an interview which we ended up not doing but I just felt out of courtesy I ought to tell him that, Mr. Campia treated it like the hot potato, a bureaucratic time bomb and said, "It has nothing to do with me, call Mr. Hugh Carr", I had never heard of Mr. Hugh Carr. It turned out that Mr. Hugh Carr, who I was lead to believe was Mr. Campia, the City Census Operations, boss, that they were not bosses, they were just all on the same level.

I want to go back and remind Council, if they don't know, and perhaps they do know, that the day before we left, just before we left for the summer, we had a hearing of the Hazelwood people in the 29th, which is why I stayed that day, because they had given me the petition and asked that I personally be here. They brought a newspaper article, it's the Business People's Gazette and it is from the

local paper and it says, "Census Shorts Us 5,000 People". In the Hazelwood area alone they have already found that 5,000 people have been undercounted. The only point I was making at the time — it was not my intent to point a finger at anybody, I thought maybe somebody in Council would pick it up because I wasn't here, subsequently I was challenged by Mr. Hugh Carr, who I have no complaint against, he may run one of the best shows in town. I still maintain, as I said in a debate with Mr. Hugh Carr on a radio show which we did long distance, that the proof is in the pudding. If in the final analysis, the census count — we know it is going to be lower, we know we have lost population as all the northern cities have, but if the census count is proven to be substantially different than what the City counted, then indeed there was slipshod work, and if it is found to be pretty accurate or pretty close, and these accusations made in a letter by someone who works for the department, who was identified, has every right to have his opinion or her opinion heard, and I think perhaps you didn't understand that that was not a secret letter, there has been a letter since that is an unsigned letter and I have done nothing with the unsigned except turn that over to check some of the facts.

And if the Mayor's Office and Mr. Hayllar are so uptight about wanting to know what goes on in Council it wouldn't hurt them to get their provebials in here, one of their bodies in here so that they will know what happens in Council. For example, some of the comments Mr. Stone made today. They should not have to be sent back by a messenger, somebody should be here from the Mayor's Office if they care what goes on in Council and enough said on that subject.

#### The Chair:

The only comment I have to make Michelle, you feel I owe you an apology, maybe I do and maybe I don't, but when I checked into the matter apparently, it was a fired, disgruntled ex-employee, one who was quite incompetent from what I understand —

**Michelle Madoff:**

Nobody knows who it is Mr. DePasquale.

**The Chair:**

Well, they knew who it was as well as you knew who it was

**Michelle Madoff:**

There were three people they thought it could be.

**The Chair:**

I'm always a little leery of these employees and sour grapes. Maybe he was right, I'm not saying he wasn't, I don't know.

**Michelle Madoff:**

I don't think right or wrong is the issue, I think the issue will come when we see the returns. When the returns are in we will know.

**The Chair:**

Well, if he had an issue he should have spoke up before he was fired, not after. It's the old story, I see some wrong doing and I don't say anything I get hurt —

**Michelle Madoff:**

How do you know it wasn't a woman?

**The Chair:**

It is my duty to speak up before I get hurt, if I am really a sincere person.

**Michelle Madoff:**

Well you know that I am not one not to speak up, if I have something to say, I say it and I can't disagree with what you are saying but if there was a threat of a \$5,000 fine and a year in jail and they felt that something should be done about a

problem and I checked this with one of the main supervisors and I read the letter to them and they agreed with what was in that letter and that was when I was going to do the Channel 2 interview and called Mr. Campia to tell him this, and I understand they tried to get Mr. Campia to go on the interview and he said, "Oh, this is really unimportant", wouldn't even deal with it, that the census wasn't an important issue.

I think enough is said on that subject, a couple of last items. Thursday morning of this week there is a meeting being held at the Allegheny Conference, in the PNB Bank which addresses itself to Allegheny Steam Heat, which I believe went bankrupt in August. You all received copies from me of about 7 pages where I plead, and give reasons why the downtown businesses should stay on the line for one more year. It appears that we have two very serious interested purchasers and if the media is interested they should contact Mr. Bill Copeland and talk to him, of PNB. But it seems that after I did all this work and after we had a hearing here in Council and after everybody showed up from People's Gas to Allegheny Steam Heat and Mr. Whitmore and Mr. Whitmore, because everybody was here and couldn't fib, said, "Well, we have been working on it for a year", and I said "What do you mean", and he said, "Well, when they were going to convert to gas, that is when I spoke to them", I said, "In other words, when they were between a hard place and a rock, that is the only time you tried to save the thing?" Now the Mayor is going to make an announcement, I am very happy to hear that we stuck a hatpin in his butt, and he is now going to make some announcement on Allegheny Steam Heat and I hope he will share that with Council because I will hear about it Thursday morning.

One last item because I want you to know I'm back and you missed me, we had a meeting with the head of our Emergency Medical Division, who was to come back and give Council a report. That report was, since the first year out of the stable, with-

out federal funding, the medical service was becoming very, very costly. He said \$3½ Million of the budget, when we went back and checked, when I met with him the day we cancelled that resolution to charge City residents because it wasn't feasible, the cost would have been \$200, he admitted to me and to others that the cost wasn't \$3½ Million deficit, but \$4½ Million. If it is \$4½ Million in the first year, what is it going to be ten years from now? It seems that they were looking into some other ways of funding. They had several ideas. Do you think its time that Council knew what some of these ideas might be, not at the last minute? You have no objections to them briefing us on what is happening.

**Mr. O'Malley:**

As soon as I get the reports I'll have it for you.

**Michelle Madoff:**

Now, one final item. We have all been reading things in the paper about all the new developments going on downtown and I don't think anybody is happier about it than Council because of the taxes we are going to have to raise this year and that does generate revenue, etc. But I would like to put one thought across to Council and I would like you to think about it very seriously. When I was in Puerto Rico last year and I drove from St. Thomas to Thomas Del Mar, there were three, not one, not two, but three, Johnson & Johnson factories. That doesn't mean that jobs are to give contractors today and when the job is done they are through and you know they are going to bring a lot of contractors in from out of town I want permanent jobs in this community. I want Johnson & Johnson plants and other factories that are going to stay here and provide jobs and the only way we are going to do it is to do what other communities have done. In Puerto Rico they give 20 year abatements, in Sperling, Michigan they give 12 years, in New York City they give 5 years for unrented space. Eddie Lewis has talked to me,

very concerned about what do you do with this unrented space with everybody competing for space at the same time. Where in blazes is that abatement bill, and when are we going to deal with it.

**The Chair:**

We are still holding it on account of PPG, maybe Mr. O'Malley can —

**Mr. O'Malley:**

Let me just say this, I talked to the people from Oxford and Mr. Stone and I have talked to the people from United States Steel and what we are looking into now is legislation for tax abatement on unoccupied portions of the building.

**Michelle Madoff:**

Well, that is exactly what New York has, they have a five year unoccupied abatement tax, you don't pay taxes on the unfilled portions, at least you give somebody a chance.

**Mr. O'Malley:**

I should have the legislation in about two weeks.

**Michelle Madoff:**

I'm glad because I suggested it about five months ago.

**The Chair:**

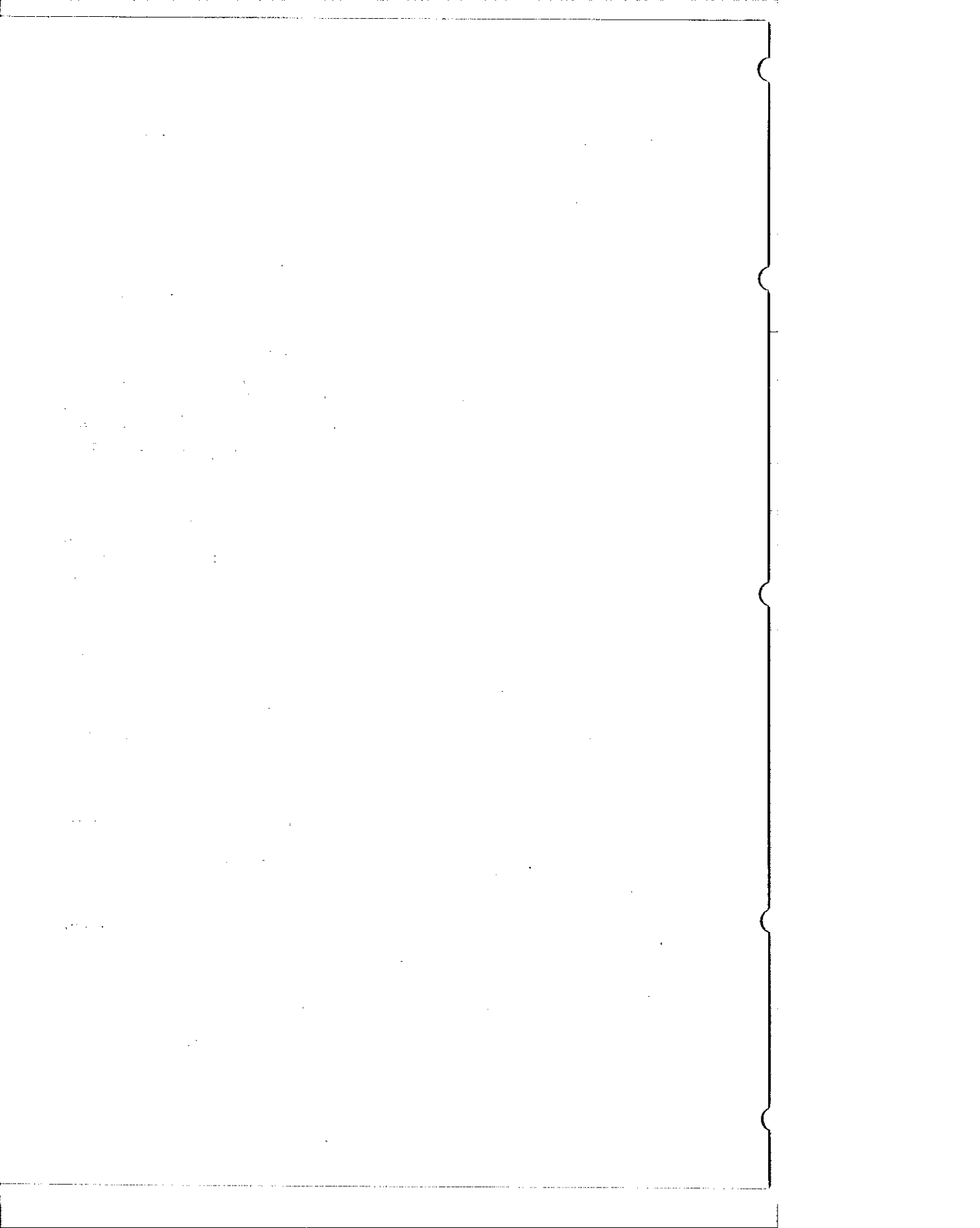
Also Jim, I heard that the unions are pretty close to making peace with PPG in regards to that objection that we first held up on.

**Mr. Stone** moved to approve the minutes of Monday August 4, 1980 and Monday, August 11, 1980.

**Mr. Robinson** seconded the motion.

And on motion of **Mr. Stone**,

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, September 8, 1980

No. 34

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday, September 8, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### Michelle Madoff:

Before we begin, I would like to make a comment, I would like to explain what happened, there was a resolution that Mr. Flaherty and I were to introduce today and the draft of the resolution was given to us

by a young attorney and Mr. Flaherty and I, and I tried to get Mr. Robinson, to introduce the resolution, and by accident, the resolution is being introduced to go into committee — we don't want it that way, we want it as a straight resolution today, at least I do, because it is my resolution, if Mr. Flaherty doesn't want to do it that way that is his decision, and I was just a little confused when this appeared on my desk.

#### Mr. Flaherty:

Well, yes, I would like to respond to that, it is my understanding that that is the way that the attorney wants it introduced. The attorney is Cliff Cooper, and earlier in the day I had a talk in regard to this with Bill McCray and he told me that when he spoke with Cliff Cooper, Cliff Cooper wanted the resolution to go through the committee system, so . . .

#### Michelle Madoff:

I was just explaining to the President of Council why we were disrupting the meeting because of this confusion that was to be done today, I assumed it was going in as a resolution and I think Mr. Flaherty is mistaken but when we get to it we can discuss it, but I will not introduce it now — do you want me to introduce it through committee? I think it is imperative because it is a matter of timing. It is the resolution on the people being overweight.

#### The Chair:

Why don't we wait until we get to that resolution and then either withdraw it or discuss it or whatever you want to do.

## PRESENTATIONS

Mr. Coyne presented

No. 1555 Resolution providing for the issuance of a warrant in favor of Pennsylvania Drilling Co. in the amount of \$520.00 in payment for emergency work furnished for the benefit of the City in connection with Chestnut Street Site Demolition and Backfilling.

Which was read and referred to the Committee on Finance.

Also,

No. 1556 Resolution amending Resolution No. 275 approved April 11, 1980, effective April 18, 1980, entitled, "A Resolution providing for an Agreement or Agreements with Green International Inc., for inspection and design services, in connection with Ft. Pitt Boulevard Bridge and providing for the payment of the costs thereof."

Also,

No. 1557 Resolution granting unto Pittsburgh Plate Glass, Inc., the right to construct, maintain and use at its own cost and expense, a concrete vault with elevator and steel doors, to be used as entrance to the cellar.

Also

No. 1558 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, property of Joseph B. Fay Co., situated at the intersection of Madison Ave. and River Ave. in the 23rd Ward of the City of Pittsburgh.

Also,

No. 1559 Resolution granting unto Bank Center Limited privilege and license to construct, maintain and use at its own cost, a Marquee over entrance to building at 416 Wood Street.

Also,

No. 1560 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$24,000.00 for Extra Work in connection with repaving/widening of Fifth Avenue, Controller's Contract No. 23253-F.

Also,

No. 1561 Communication from Louis R. Gaetano, Director, Department of Public Works requesting permission for Messrs. McGee and Gergerich to attend U. S. Department of Transportation conference on Federal Programs and Funding for Transportation Improvements, Philadelphia, Pennsylvania, September 17-19, 1980, at a cost not to exceed \$750.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1562 Resolution providing for a Cooperation Agreement or Agreements with the Auditorium Authority of the City of Pittsburgh in connection with the removal of Architectural Barriers at the Civic Arena at a cost not to exceed \$5,000.00 chargeable to and payable from Capital Project LB 80-10, Public Buildings Access by the Handicapped, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 1563 Resolution providing for the issuance of a warrant in favor of Midas Muffler Shops in the amount of \$341.80 for an emergency purchase of automotive parts furnished to the City garage without previous authority of law, chargeable to and payable from Code Account No. 1150, Outside Repairs, Contract, Department of Supplies.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Michelle Madoff** presented

No. 1564 An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article XIII, Trees, Chapter 483, Care and Maintenance, by adding Section 483.06, DAMAGE TO HOMES AND SIDEWALKS.

Which was read and referred to the Committee on Public Works.

Also,

No. 1565 Resolution providing for the issuance of a warrant in favor of General Tire Service, 3301 Smallman Street Pittsburgh, PA 15201 in the amount of \$302.64, chargeable to and payable from Code Account No. 1714, Materials, Department of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 1566 Resolution further amending Resolution No. 487, decreasing the appropriation for WD-76-2 and increasing the appropriation for WD-76-5.

Also,

No. 1567 Resolution amending Resolution No. 1229 increasing the appropriation for line item WD-80-07 of the 1980 Capital Budget 4-05-0001-80, Purchase and Installa-

tion of Valve by Contract at Various Locations, Department of Water.

Also,

No. 1568 Resolution providing for an agreement or agreements with a consultant or consultants for professional engineering services in connection with the inspection of the siding failure at the Water Treatment Plant, at a cost not to exceed \$10,500.00, chargeable to and payable from 1976 Capital Budget WD-76-55, Department of Water.

Also,

No. 1569 Resolution providing for a contract or contracts for delivery of water meters at a cost not to exceed \$20,000.00, chargeable to and payable from the 1980 Capital Budget WD-80-09 Water Meters.

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff** presented

No. 1570 Resolution transferring to the Department of Parks and Recreation's Code Account 1832, Recreational Wages, Temporary Employees, the amount of \$28,500 from Council's Contingent Fund Code Account 42-2.

Which was read and referred to the Committee on Finance.

Also,

No. 1571 Resolution providing for an Agreement or Agreements for professional services in conjunction with the Phipps Development and Graphics Program and providing for the payment of the cost thereof, not to exceed \$5,500.00.

Also,

No. 1572 Resolution amending Resolution No. 1292, effective November 24, 1978, entitled: "Authorizing the letting of a contract or contracts for a Tree Planting Program at various locations within the

City of Pittsburgh in an amount not to exceed \$200,000.00 in the Department of Parks and Recreation," by decreasing the allocation to \$199,967.00.

Also,

No. 1573 Resolution amending Resolution 1050 effective November 9, 1977 entitled: "Authorizing the letting of a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh in an amount not to exceed \$200,000.00 in the Department of Parks and Recreation," by decreasing the allocation to \$199,629.00.

Also,

No. 1574 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of aluminum portable bleachers for the Department of Parks and Recreation, the cost of which is not to exceed \$5,000.00, chargeable to and payable from Code Account No. 1808, Equipment, Department of Parks and Recreation.

Also,

No. 1575 Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$5,491.20 for Project PR 80-21, Major Repairs and Emergencies, in the Department of Parks and Recreation.

Also,

No. 1576 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$5,491.20, for emergency purchase of replacement material at Schenley Park Swimming Pool, Contract No. 134-80.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson** presented

No. 1577 Communication from Ed-

ward deLuca Director, Department of City Development, requesting permission for Director deLuca to attend Urban Economic Development Conference on Reuse, Rehabilitation and Restoration, San Antonio, Texas, October 25-29, 1980, at cost not to exceed \$820.00, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 1578 Resolution providing for the issuance of a warrant in favor of Financial Press Corporation for the emergency printing of the 1979 Controller's Annual Report, without previous authority of law. Interim approval granted as per Council Bill 680, dated April 23, 1980.

Also,

No. 1579 Resolution providing for the issuance of a \$1,542.01 warrant to J. C. Penney Casualty Insurance Co. and John, Sr. and Mildred Tillar for vehicle damage on Alter Street by a Bureau of Refuse vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1580 Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, M.D., in the aggregate amount of \$840.00 for professional services rendered for the benefit of the City in connection with physical examinations administered to return to duty School Crossing Guards and applicants.

Also,

No. 1581 Resolution transferring \$4,500.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 1061-1, Premium Pay, Department of City Treasurer.



Also,

No. 1582 Resolution amending a portion of Resolution No. 825, approved September 20, 1979, entitled, "Providing for an Agreement or Agreements with Abraxas Foundation and providing for the payment of the costs thereof."

Also,

No. 1583 Communication from Ronald C. Schmeiser, City Treasurer, Department of City Treasurer, requesting interim approval for payment of \$450.00 to State Department of Labor and Industry for business listings to assist in tax collection efforts.

Also,

No. 1584 Communication from Mayor Richard S. Caliguiri requesting permission for George Whitmer to attend Pennsylvania League of Cities Board Meeting, Lancaster, Pennsylvania, September 8, 1980, at a cost not to exceed \$150.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1585 Communication from Ronald C. Schmeiser, City Treasurer, Department of City Treasurer, requesting permission for Deputy Treasurer George W. Jacoby to attend Pennsylvania Bar Institute Course on Municipal Borrowing, Pittsburgh, Pennsylvania, October 21, 1980, at cost not to exceed \$52.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 1586 Communication from James E. Lally, Executive Director, Stadium Authority, City of Pittsburgh, submitting Annual Financial Statement of the Stadium Authority for the fiscal year ending March 31, 1980.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1587 Resolution authorizing an increase in the non-electoral indebtedness of the City in the maximum amount of \$15,750,000 to be represented by note issued in anticipation of the issuance of General Obligation Bonds in at least said amount.

Which was read and referred to the Committee on Finance.

**Mr. Stone:**

Mr. President, if I may, this bill is a special bill and it is coming to us under some emergency conditions and I am going to be away on Wednesday and I would like to cover that if I may.

At the present time, if you will recall, we went into that new fiscal management system, where we created, more or less, a one fund from which all projects could draw funds. At the present time we have depleted all of the unrestricted funds, in fact, there is something like \$4.3 Million worth of projects where there are signed contracts and there are no funds. In addition, there are other projects which are about to get ready to get going and they will be needing funds in short notice for those items.

I have been meeting with the Treasurer these past two weeks relative to a prospective \$30 Million bond issue for capital projects within the City of Pittsburgh. We have been meeting and discussing that matter, but at the present time until we can get the bond issue prepared and issued and sold and the funds received, there is still that dire and emergency need to have the funds, so what is contemplated here, is somewhere between \$15 Million and \$16 Million of notes in anticipation of the bonds. Relative to those items, I have just given a list and all of the department projects that are involved and the amount that is involved — projects needing short term cash. So what I would like to do with that at this time is to move to waive Rule 8 so that this matter will come up on the agenda on Wed-

nesday for your consideration and hopeful final consideration next Monday. As I have indicated, I will be away, but I have taken this matter up with the Treasurer and with some members of the Mayor's staff as well as our own budget staff here at City Council and I am in favor of it and would hope that that would move with dispatch on Wednesday and next Monday.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. Stone, point of clarification, in the last couple of years we have had, and I think you are correct, and I think I raised the question when I first got here, why are we borrowing money when we have unencumbered funds. In part, I am sure it wasn't just my prodding, but just, the obvious, I don't know why it wasn't done years before I ever got here, but they have moved to change the system and put it on computers and our new Treasurer is doing a very fine job.

Are you saying, if I hear you correctly, that we have no unencumbered funds now?

**Mr. Stone:**

We have no unrestricted funds at this time . . .

**Michelle Madoff:**

Does that mean the same as unencumbered?

**Mr. Stone:**

Not really, but in a loose sense maybe it is the same.

**Michelle Madoff:**

Well it can't be loose, it is or it isn't, if we have money then we don't have to borrow it and pay the interest. If we don't have it then we have to borrow it, I would like an answer to my question.

**Mr. Stone:**

That is why I said in a loose sense it would be the same, we don't have money for projects.

**Michelle Madoff:**

I will ask my question again, do we have any unencumbered funds? May I ask the Treasurer that since you won't be here on Wednesday, or would you rather wait and I'll ask him when you are not around?

**Mr. Stone:**

We don't — in fact, we have more contracts signed than we have money available.

**Michelle Madoff:**

Is it because we don't have unencumbered dollars, or we have dollars that are unencumbered that we are not releasing for that?

**Mr. Stone:**

All available moneys have been overdrawn particularly at this point if the last four contracts go through they need the money now.

**Michelle Madoff:**

I didn't get an answer to my question, may I ask the Treasurer Mr. President? Since he is sitting there Mr. Schmeiser?

**Mr. Stone:**

I am giving you the answer but unfortunately you don't understand it which is the problem.

**Michelle Madoff:**

May I have your permission Mr. President, to ask Mr. Schmeiser?

**The Chair:**

Is Mr. Schmeiser here?

**Michelle Madoff:**

He is, he is sitting right here, and I believe he is here because Mr. Stone won't be with us Wednesday. Mr. Schmeiser, do we have any unencumbered . . .

**Mr. Schmeiser:**

The answer is, we are out of cash.

**Michelle Madoff:**

I didn't ask you the question, I am going to do it again — do we have any unencumbered dollars sitting in that account?

**Mr. Schmeiser:**

No.

**Michelle Madoff:**

Thank you, that is a very simple answer.

**The Chair:**

Mr. Stone told us the same thing.

**Michelle Madoff:**

No, he said, "Not really, it's similar and loosely."

**The Chair:**

Okay.

**Michelle Madoff:**

And I am going to check to see if we have any unencumbered funds.

**Mr. Givens:**

Mr. President you know, we can discuss this Wednesday, but I am at somewhat of a loss, when I look at the projects that this is for, we are looking at the '80's and the '79 projects, is this cost overrun for these projects?

**Mr. Stone:**

No, no, no.

**Mr. Givens:**

I mean, we have to budget, did we not go out and buy the bonds for these projects?

**Mr. Stone:**

We haven't gone out on a bond issue since May of 1978.

**Mr. Givens:**

Well, my question is, is this in the 1980 budget? And we did not provide the bonding?

**Mr. Stone:**

These have been in 1980 and prior years, Dick.

**Mr. Givens:**

And this Council did not provide the bonding for it.

**Mr. Stone:**

No, they didn't see fit to go out on bond issue because we made a slight reversal in year, late '79, '80, in dealing with our unrestricted cash when we went into a one fund program. So it was not necessary so long as those funds were there, so you have delayed the purchase for which you did not have to go out into a vicious high interest market, so at this particular time we have exhausted that opportunity and we are now down to rug cutting time, we have

not funds and need the monies. The preference is to go out on a bond issue, but that will take some time, the cash needs are present, so as a temporary measure, what we are doing is attempting to get up to a maximum of \$16 Million on notes in anticipation of the bond issue. And I might mention, if you see the asterisk on that little exhibit that I have given you, those are reimbursable items, so some of those monies we'll be getting back.

**Michelle Madoff:**

Are the short term notes that we are going out on temporarily?

**Mr. Stone:**

Short term notes until we get the bond issue which is anticipated.

**Michelle Madoff:**

And are they at higher or lower rates than the bond issue?

**Mr. Stone:**

This is until we get the bond issue which should come the end of this year.

**Michelle Madoff:**

And is it a higher rate than the bond issue would be, I believe it is at a higher rate, am I correct Mr. Stone?

**Mr. Stone:**

I can't tell you at this point since I am not aware of either market.

**Michelle Madoff:**

Generally that has been the case. I think you would agree with me, that is generally the case, on the interim short term it is a higher rate of interest, even I know that and I am not a financial whiz.

**Mr. Stone:**

Not really.

**Michelle Madoff:**

Are you going to negotiate this with someone or are you going to put it out for bid?

**Mr. Schmeiser:**

We are going to put it out for bid.

**Michelle Madoff:**

If we had gone out for this money earlier, as our esteemed Finance Chairman knows that we were having projects, he is much more experienced than I, having been here much longer, knows that we have projects every year and we are going to have to go out for bonds, is there some reason why the Administration didn't go out earlier in a different market, is it a better market now, or a worse market now, bond wise?

**Mr. Stone:**

We had cash then, we don't have cash now.

**Michelle Madoff:**

I understand that, we don't have a choice, we are down to rug cutting as you said, but I am asking a question...

**Mr. Stone:**

No, it's not that, you didn't go out earlier because you didn't want to borrow to pay the interest on it.

**Michelle Madoff:**

That makes sense, I am just asking, would the rate have been much lower?

**Mr. Stone:**

Yes, but no matter what the rate was, it was still high enough that you wouldn't borrow until you need it.

**Michelle Madoff:**

I understand that point — I have some

great concerns that there are indeed, and I am going to check it, and we may be personal friends Mr. Schmeiser, but I am going to check it, that there are no unencumbered dollars. I don't believe that we are bankrupt — because if you are saying we have no unencumbered dollars, you are saying —

**Mr. Stone:**

No one said we were bankrupt.

**Michelle Madoff:**

...we have no money sitting in our Capital Budget, is that what you are saying?

**Mr. Stone:**

No, you know, Michelle, part of my problem is trying to communicate with you what the deal is. You don't understand it.

**Michelle Madoff:**

Your problem is you translate for everybody — I am talking to Mr. Schmeiser, he can speak for himself, he is very capable, he has a degree —

**Mr. Stone:**

What we have to do is —

**Michelle Madoff:**

May I speak to Mr. Schmeiser please?

**The Chair:**

Mr. Stone is trying to answer you Michelle.

**Michelle Madoff:**

I don't want Mr. Stone to answer me I would like Mr. Schmeiser to answer me, that is who I addressed my questions to.

**Mr. Stone:**

We have to put the money up in front,

100% financing before we start a project, whether we are getting monies from some other source in reimbursement or not and that is why you end out with some of these problems. Some of these monies we are borrowing really should be coming from other sources, but we have to advance it in order to get it. Bloomfield Bridge for instance is \$1.2 Million. Now, some of that is going to come back to us so why do we have to put it up? We have to do it the way the technical requirements are so that we can get our money back later. So, it is just a transfer way of doing it.

**Michelle Madoff:**

And there is no other monies in unencumbered funds that we could put up temporarily for these? There is no Project A that has not been committed or started that every dollar is encumbered -- we have no unencumbered dollars? Absolutely none?

**Mr. Stone:**

That's right.

**The Chair:**

Mr. Stone, do I read you right, that these are almost all emergency cases? You talked about the Bloomfield Bridge and some of the others, and obviously they had to be done because lives could have been lost — obviously we depleted the funds.

**Mr. Stone:**

Well some of them — \$4.2 Million are contracts that were already signed.

**The Chair:**

We have to finish —

**Mr. Stone:**

You have to do that.

**Mr. Givens:**

Excuse me, this is going to be discussed at Wednesday's meeting, right?

**The Chair:**

Right.

**Mr. Givens:**

I assume we will have the Treasurer there and people from the Department of Public Works, etc., to answer some questions that we might have when the legislation is introduced at that time.

**Mr. Stone:**

I have no objections with that, as I have indicated, I have taken this up with Eddie Albert and our budget staff and I have reviewed it with them and as far as I am concerned, so you know in my absence, as Finance Chairman, I am recommending it.

#### **UNFINISHED BUSINESS**

**Mr. Stone:**

Last week we indicated that we would hold two weeks on appointees and we were successful in getting all but about two of them last Wednesday, before Council, to be interviewed. I see no reason to hold those who have already been interviewed for the additional week and I would move that we bring them up now for approval or disapproval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair** presented

**Bill No. 1536**

A Resolution entitled, "Resolution approving the reappointment by the Mayor of Gerald Fox as a member of the Board of Adjustment for a term to expire January, 1983."

Which was read.

Also,

**Bill No. 1540**

A Resolution entitled, "Resolution approv-

ing the reappointment by the Mayor of Leon W. Howard, Jr. as a member of the City Planning Commission for a term to expire January, 1986."

Which was read.

Also,

**Bill No. 1544**

A Resolution entitled, "Resolution approving the appointment by the Mayor of Ruth Perfido as a member of the Planning Commission for a term to expire January, 1986."

Which was read.

Also,

**Bill No. 1548**

A Resolution entitled, "Resolution approving the appointment by the Mayor of Susan P. Warner as a member of the Art Commission for a term to expire December 31, 1981."

Which was read.

Also,

**Bill No. 1552**

A Resolution entitled, "Resolution approving the reappointment by the Mayor of Mary Cherubin as a member of the Sinking Fund Commission for a term to expire December 31, 1981."

Which was read.

Also,

**Bill No. 1554**

A Resolution entitled, "Resolution approving the appointment by the Mayor of Belinda Davis as a member of the Sinking Fund Commission."

Which was read.

**The Chair:**

Is there any discussion on the appointments and re-appointments?

And on the question, "Shall the appointments and re-appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Stone</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the appointments and reappointments passed finally.

Also

Bill No. 1538

A Resolution entitled, "Resolution approving the appointment by the Mayor of Joseph Mistick as a member of the Board of Adjustment for a term to expire January, 1982."

Which was read.

Also,

Bill No. 1542

A Resolution entitled, "Resolution approving the appointment by the Mayor of Joseph Mistick as a member of the City Planning Commission for a term to expire January, 1982."

Which was read.

**The Chair:**

Is there any discussion on the appointments?

**Michelle Madoff:**

Mr. President, there is a great issue on Mr. Sullivan's appointment — I think there is information that you should have and that Council should have. Did you receive your letter from Mr. Sullivan previously?

**The Chair:**

I received my letter from Mr. Sullivan.

**Michelle Madoff:**

And Mr. Sullivan had it delivered to me this morning and I asked him to send it to other members of Council and I think it is terribly important that the issues I raised and the question that I asked the other day, and I was given wrong information, that the correct information be given to Council.

**The Chair:**

I think we clarified it the other day, that it was the Mayor's prerogative to replace Mr. Sullivan and the only issue at stake here is whether Mr. Mistick will be approved as his replacement.

**Michelle Madoff:**

According to the Charter Mr. President, it says removal has to be transmitted — the reason — in writing to Council. Was that done? Was the reason he is being —

**The Chair:**

His time had expired.

**Michelle Madoff:**

No it had not Sir, that is what I have here, it had not expired.

**Mr. Stone:**

His term had not expired, but the Mayor has a right, on that level, to remove.

**Michelle Madoff:**

For what reason? Mr. Sullivan believes it can only be for just cause and he would like to know what the cause is and according to the Charter which I have before me it says, "removal shall not be effective until the Mayor transmit reasons to Council in writing". Has any member of Council got a reason in writing? Mr. Flaherty did you get a reason in writing?

**Mr. Flaherty:**

No.

**Michelle Madoff:**

Did you get one Mr. Givens?

**Mr. Givens:**

No.

**Michelle Madoff:**

Did you get one Mr. O'Malley?

**Mr. O'Malley:**

No.

**The Chair:**

Point of clarification, Mr. Parliamentarian do we need a letter from the Mayor in regards to the replacement?

**Michelle Madoff:**

We can't vote on that today.

**The Chair:**

It is not a major Administrative unit, so you are wrong Michelle.

**Mr. Stone:**

That was the point I was making.

**The Chair:**

I want to make it very clear here that Mr. Sullivan is a very close personal friend of mine and I probably know him longer than anybody in this room, I served on the Church Committee at St. Paul's Cathedral with him, I go back a long way with him, I find him to be a fine and upstanding gentleman and I can't say anything wrong about Mr. Sullivan.

However, I again say, it is the Mayor's prerogative to make a change, the only issue at hand today is whether Mr. Mystick will be approved or not approved as Mr. Sullivan's replacement.

**Mr. Givens:**

Mr. President, if I might, I think there is a point of clarification here, that under

Boards and Commissions, which the Planning Commission is a Commission and the Board is a Board, and it so reads on Article 215, Removal of Member of Boards and Commissions, the Mayor may remove any member of a Board or Commission at will, except as otherwise provided by this Chapter, removal shall be effectively until the Mayor terminates reasons to Council in writing.

**Michelle Madoff:**

And none of us have had it in writing and that was my point.

**Mr. Givens:**

He can remove, but he must give it to Council in writing.

**Michelle Madoff:**

Well that was my point.

**The Chair:**

Where does it state there that he can do it as far as a major Administrative unit —

**Michelle Madoff:**

I got this from Mr. Sullivan today, Mr. Sullivan sent the Charter to me, Mr. Sullivan marked off the spot and I have Mr. Sullivan's letter which I am going to read into the record, and I want to point out when I asked the question, "Was Mr. Sullivan re-appointed?", I was told, "No, he wasn't, his term has expired", and they just decided — now they are appointing somebody else.

It was not true, his appointment to the Board of Adjustment expired in June of 1981, and his appointment to the Planning Commission expires in January of 1982, he has been removed from both and I think his letter is very, very pertinent, but more important is the legality:

**"Removal of Members of Boards and Commissions.**



A removal shall not be effective until the Mayor transmits reasons to Council in writing."

Mr. Sullivan as you know is an attorney and he believes that means for cause and he would like to know what the cause is and so would I.

**Mr. Flaherty:**

Yes, I was wondering Mr. President, if we could hold this appointment because I feel that Michelle Madoff raises a very important issue here, and I feel that Paul Sullivan, especially in light of his long and admirable service, is especially entitled to his due. I also especially resent that when the Mayor sent these appointments over, as Michelle brought out earlier, there was a lot of confusion as to why Paul Sullivan was not asked to serve any longer on the board.

**Michelle Madoff:**

Mr. President, may I continue? I am thankful that both members of Council have added their views and I am thankful that Mr. Givens —

**Mr. Givens:**

We cannot act upon it —

**Michelle Madoff:**

No, because of the legality but I think it is important to read this letter. The letter was sent to Mr. DePasquale dated September 5th and many of us were not here. I don't know whether Mr. DePasquale planned, or thought it was a personal letter and it is his decision, but Mr. Sullivan sent me a copy today. I gave everybody a copy, if you haven't seen the copies I have extras here and I would like to point out what he is asking for and what he says. He is responding to Mr. DePasquale, because I think Mr. Stone rightfully suggested that we thank him for his services and for being a dedicated public servant. He says:

"Please accept my cordial thanks in

appreciation for your letter of September 5th with respect to my career as Chairman of the Zoning Board, blah, blah, blah".

"I ask you to extend my thanks and appreciation to all members of Council who have so thoughtfully joined you in an expression that has provided my most heartening experience in a period of bitter disillusionment and frustration."

"It has been brought to my attention that there has been circulated an impression that I have voluntarily withdrawn from my duties with the Zoning Board and the Planning Commission, nothing could be further from the truth. Since my original and unsolicited appointment to these responsibilities by Mayor Flaherty, I have been deeply interested..."

And he goes on about not taking any vacation time, taking five weeks vacation — exactly five weeks in more than ten years,

"...and I am ready to continue serving as long as I am permitted to do so."

And it goes on,

"My proposed removal is entirely the decision of Mayor Caliguiri and/or his advisor"

I presume he means the Guru,

"It is an act I might have expected from an incoming Administration of a rival political party, but I most certainly regarded it as an extraordinary and indefensible sequel to my consistent service under successive Administrations of the party to which my family and myself have given allegiance for well beyond a century."

And he closes with,

"I would be happy to discuss this matter with you personally, and with your colleagues prior to your final action upon my proposed successor."

And I think that is really the crux of

it. If Mr. Stone meant what he said, and I have no reason to doubt that he meant that he was thinking a man who has given dedicated service to this community for years, then he certainly has a right to be heard by this body before we make any changes and I think the Mayor has an obligation when he makes noises about what Council doesn't do or that we make some Administrative changes, or we want some policemen up on Beechwood Boulevard, that he has the purview to do things in a certain way then he ought to follow his own laws and his own rules.

**The Chair:**

Mr. Stone, what is your pleasure? Do you want to go with the original motion —

**Mr. Stone:**

I don't have any fixed rule on it, I think the issue does really boil down to nothing more —

**The Chair:**

I think we ought to clear the air Mr. Stone, if we do vote on Mr. Mystick today and he is turned down, I presume then that his name cannot be brought up again for a certain period of time, six months or what have you, so you run the risk of Mr. Mystick not being approved if we vote on it today.

**Mr. Stone:**

Well, I'm not looking at it that way, as I indicated last week, there is no question, Paul Sullivan is a friend and I declared that in advance and I have the utmost respect for him. I don't agree with the removal, but nevertheless, that is a right and I think within the jurisdiction of the Mayor. I think you very cogently put the issue before us.

The issue is not Paul Sullivan at this point, the issue purely becomes whether or not the replacement is to be Joe Mystick.

But if anyone wants to hear anymore on it I have no fixed —

**Michelle Madoff:**

Well I think it is illegal Mr. President and I also don't believe that you have to wait six months, if it is so important, excuse me, six weeks or whatever, but if it is so important, let's get the Mayor in here and let him tell us right now, or have a note typed up giving us his reason in writing, that is what the law says, and do you feel that we, out of respect to Mr. Sullivan, that you wrote this marvelous thank you letter, that he ought to be heard? Do you think he should be given the opportunity to speak to us?

Now, frankly I think Mr. Mystick is a super guy, I've known him for years and I think he would make a tremendous Zoning Administrator, but I think that is the issue before us, it is an issue of morality, it is an issue of justice and it is an issue of legality.

**The Chair:**

We'll hold on Mr. Mystick.

**Michelle Madoff:**

We are holding it until Wednesday?

**The Chair:**

We'll hold until you get a clarification from somebody as to whether the Mayor is acting illegally.

**Mr. Stone:**

You're going to have a heck of a thing here on Wednesday, you are going to have to do it two Wednesdays from now because Wednesday you've got a real big schedule.

**Michelle Madoff:**

May I make a suggestion? Council is meeting tomorrow anyway on a public hear-

ing, could we meet a half hour earlier and have the Mayor meet with us and Mr. Sullivan and could we address ourselves to it then?

**Mr. Givens:**

No.

**The Chair:**

Mr. Parliamentarian, get a ruling for us on that, whether the Mayor was in error when he dismissed Mr. Sullivan without sending a letter to Council informing us of the move and in all future appointments.

**Michelle Madoff:**

Mr. President, could we have a definition of the term, what does "reasons" mean? Does that mean cause? According to Mr. Sullivan who is an attorney, he says that reasons mean cause, therefore, I think that if that is the legal interpretation, then I would like to know what the reasons or the cause was for his dismissal, when he does have an appointment.

I move that we hold on Mr. Mystick until we get a legal opinion on what we have discussed.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I would just like to add that I would like to thank the Mayor for putting some women in and not necessitating that I would have to picket his office again, I appreciate that.

#### **REPORTS OF COMMITTEES**

**Mr. Stone** presented

No. 1588 Report of the Committee on Finance for September 3, 1980.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1099**

A Resolution entitled, "Resolution transferring \$100,000.00 from C.A. 42-2, Contingent Fund, to the Department of Lands and Buildings, Code Account 1362-1, Coal, Gas and Steam".

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Stone:**

I have a motion to amend Bill No. 1099 by deleting \$100,000.00 from Code Account 42-2, Council's Contingent Fund and inserting in its stead, \$48,000.00 from Code Account 10, Accounts Payable, Prior Years and \$52,000.00 from Code Account 55, Policemen's Relief and Pension Fund, to be transferred to Code Account 1362-1, Coal, Gas and Steam, Department of Lands and Buildings.

**Michelle Madoff:**

Excuse me Mr. Stone, does that leave our Contingency Fund in better shape financially? Is that one of your reasons, we need money for other purposes?

**Mr. Stone:**

No, I don't think that Code Account 42 that we have set up is intended to be a contingent account for people.

**Mr. Givens:**

What are you doing Bob?

**Mr. Stone:**

We are taking it from other funds to pay for that because that was not originally in the budget. In short, use monies you have before you start tapping Code Account 42.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 1351

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1825, Wages, Swimming Pool Division, the amount of \$100,000.00 from Council's Contingent Fund, Code Account 42-2."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1441

A Resolution entitled, "Resolution amending Resolution No. 87, approved 2/22/80, effective 2/23/80, entitled, 'A Resolution providing for the issuance of a warrant in favor of Bouquet Construction Co. in the amount of \$6,123.00 in payment for Extra Work furnished for the benefit of the City in connection with sidewalk construction, various locations.'"

Which was read.

Also,

Bill No. 1450

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of P. B. & S. Chemical Co. in the amount of \$580.96 for the emergency purchase of chemicals furnished to the Water Department without previous authority of law, chargeable to and payable from Code Account No. 1750, Chemicals, Department of Water."

Which was read.

Also,

Bill No. 1451

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of GMC Truck & Coach Division in the

amount of \$11,131.80 for emergency repairs to City vehicles without previous authority of law, chargeable to and payable from Code Account No. 1150, Outside Repairs, Contract Department of Supplies."

Which was read.

Also,

Bill No. 1452

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., in the amount of \$2,395.00, for emergency repairs furnished to a City fire truck without previous authority of law, chargeable to and payable from Code Account No. 1150, Outside Repairs, Contract, Department of Supplies."

Which was read.

Also,

Bill No. 1453

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Emery Car Center, Inc., in the amount of \$801.21, for the purchase of light bars to be used on police cars without previous authority of law, chargeable to and payable from Code Account No. 1148, Automotive Parts, Department of Supplies."

Which was read.

Also,

Bill No. 1454

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sol's Stores in the amount of \$21,040.50, for the emergency purchase of pistols for the Police Department without previous authority of law, chargeable to and payable from Code Account No. 1457, Equipment, Department of Police."

Which was read.

Also,

Bill No. 1455

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Nalco Chemical Company in the amount of \$16,920.00 for the purchase of chemicals furnished to the Water Department without previous authority of law, chargeable to and payable from Code Account No. 1750, Chemicals, Department of Water."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1521

A Resolution entitled, "Resolution transferring to Code Account No. 42-2, Council's Contingent Fund, the aggregate sum of \$249,500.00 from the listed code accounts in the following amounts covering unspent monies from various salary account from June 30, 1980 through July 27, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 1589 Report of the Committee on Supplies for September 3, 1980.

Which was read, received and filed:

Also, with an affirmative recommendation,

Bill No. 1456

A Resolution entitled, "Resolution providing for a lease from the Buncher Company for the use of the Keystone State Flea Market parking area as a driver training site."

Which was read.

Also,

Bill No. 1457

A Resolution entitled, "Resolution amending Resolution No. 728 of 1980, approved August 14, 1980, entitled, 'Providing for an Agreement or Agreements with Burlington Fleet Services, a division of Burlington Industries, for professional consulting services in connection with the management of the

City's vehicle fleet and providing for the payment of the cost thereof.' by deleting Burlington Fleet Services and inserting Automated Fleet Services."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

I have a resolution to present, myself and Tom Flaherty, and I think Mr. Robinson also has agreed to sponsor the bill, we will put Mr. O'Malley in there as well, he has an amendment he has to offer.

I gave everybody a copy of the Resolution, I hope everybody perhaps might take a minute to read it. Attached to the resolution is the letter I received from Cliff Cooper and he did speak with Mr. Flaherty, I believe, on Friday, when I was not here, is that correct? I would like to see the bill go through, Mr. O'Malley would like to offer an amendment which I think is very worthwhile and I would like to just comment that somebody got hold of the story, the Post got hold of the story and it ap-

peared in the Saturday paper, and interestingly, in the same paper, Mr. President, there was an article about a study that was just done by a very, very highly thought of body, on weight of people, which in essence said, that in some people, being a little bit heavier than the required charts in the doctor's office means they are healthier, and because of their bone structure, indeed, they may be far better off being a little heavier. I would hate to see discrimination on the basis of the fact that I have lost 19 pounds. If I went to get a job and they said, "You are too skinny". The same way, I would hate to see somebody discriminated against because they are too heavy.

There are certain instances, I would imagine that this might come into play and I think the resolution speaks to that point and addresses it and the letter from Mr. Cooper speaks for itself.

**Mr. Stone:**

Let's see if I understand what is happening here. Mr. Flaherty has already introduced this thing as something to go through an ordinance channel?

**Michelle Madoff:**

No, we took it out.

**Mr. Stone:**

Has there anything been introduced on this heretofore?

**Michelle Madoff:**

No.

**Mr. Flaherty:**

No, we pointed that out.

**The Chair:**

There was a discrepancy when the meeting started on whether it should be introduced as a resolution or as an ordi-

nance, now apparently, Michelle Madoff wants to introduce it as a resolution.

**Mr. Stone:**

Yes, but first I want to know, was it introduced previously?

**Michelle Madoff:**

No sir.

**Mr. Stone:**

As an ordinance?

**Michelle Madoff:**

We pulled it out, it has not been introduced at all.

**Mr. Stone:**

This is the first time it is coming up now?

**Michelle Madoff:**

Right, and Mr. O'Malley is going to offer an amendment. We also circulated the amendment.

**The Chair:**

I think we all should bear in mind that there is some litigation in regards to some of these people who were earlier fired or not promoted and they have retained an attorney and there is action pending, so it could be in litigation very soon.

**Michelle Madoff:**

I think it is important that we have an opinion.

**Michelle Madoff, Mr. Flaherty, Mr. Robinson and Mr. O'Malley presented**

No. 1590 A Resolution providing for the restricting of proportionate height and weight requirements by the City of Pittsburgh's Civil Service Commission.

**BE IT RESOLVED BY THE COUNCIL  
OF THE CITY OF PITTSBURGH AS  
FOLLOWS:**

**SECTION 1.** An applicant for City employment shall not be denied appointment by reason of height or weight alone unless the occupational requirements specifically demand certain minimal or maximal height-weight requirements or both for performance.

**SECTION 2.** An applicant for transfer of promotion for City employment shall not be denied appointment by reason of height or weight alone unless the occupational requirements specifically demand certain minimal or maximal height-weight requirements or both for performance.

**SECTION 3.** No employee of the City shall be suspended, terminated or disciplined in any manner by reason of height or weight alone unless the occupational requirements of the job are not being met and specific minimal or maximal height-weight standards or both have been designated as being required for performance.

**SECTION 4.** Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

Which was read.

**Mr. O'Malley:**

I make a motion to amend the resolution by adding a new section, Section 4, which reads:

**SECTION 4.** Be it resolved that City Council will create a special Code Account and appropriate funds to enable the Civil Service Commission to employ and/or retain the services of experts in the field of occupational health and medicine to review the current physical standards or arduous and non-sedentary jobs and to determine a job relatedness of those medical and/or physical standards.

**Mr. Givens:**

I just have one question, I don't think Council, mid-year, can set up any special code account -- are you looking for this maybe in the 1981 budget possibly?

**Mr. O'Malley:**

Whenever.

**Michelle Madoff:**

As soon as possible.

**Mr. O'Malley:**

As soon as possible.

**Mr. Givens:**

Because Council cannot change the budget unless we open up the budget and we haven't done that for many, many years. I just bring that up as a point of technicality, it is a resolution, I think it is a resolution of intent.

**Michelle Madoff:**

Resolutions are only recommendations.

**Mr. O'Malley:**

I think it is needed to have experts in this field.

**The Chair:**

The amendment makes a lot of sense, there is very little expertise in that Civil Service Department in regards to these borderline cases, not too long ago, we had several people who were put out of the Emergency Medical Program because of transitional vertabras. I happen to know two of them personally. I checked into the matter and it seemed to me that there was some discrimination down in Civil Service, I couldn't prove it. However, I was told by Melanie Smith that the so-called man who wrote the book, Dr. Al Fergusson said that they could not serve because they would



be a hazard to the City of Pittsburgh and a detriment. I am a very personal friend of Al Fergusson, I called him up and wanted to verify it and he said, "She is a damn liar, I never said that, I said just the opposite and I will write a letter to that effect to you, to Civil Service, to Dr. Madioski and everybody else", and when the letter was received, Melanie Smith then denied that she had ever made the statement and she made it in front of a full Council.

But you see what you are up against there, we don't have people down there who really know what they are doing in these matters, whether it is an obese person or somebody who suffers from some so-called ailment. You've got the problem in the Fire Department where they are eliminating asthmatic persons and people like that and doctors are saying they can serve as well as anybody else, almost everybody has some physical problems, so if you are going to start eliminating because of physical disabilities, then we would have nobody working for the City of Pittsburgh.

**Michelle Madoff:**

Thank you Mr. President.

**Mr. O'Malley:**

Well, I was hoping this amendment would clarify this situation.

**Michelle Madoff:**

I think it is an excellent amendment and I think this is a very good example of Mr. Cliff Cooper approaching me, I was unable to be here, as it turned out I ended up in 911 with paramedics and I might add that if anybody had had a heart attack they wouldn't have made it to the hospital with that vehicle, but he did speak with Mr. Flaherty, he took the ball from there, Mr. Robinson was spoken to and Mr. Robinson agreed to the premise and Mr. O'Malley added an amendment and I would like to see more of that kind of feeling and spirit of cooperation in this Council instead

of being put down by people who are always saying, "You just don't understand", only one person understands — here four people understand a problem and have been able to work together.

**Mr. Robinson:**

I second the amendment.

Which motion prevailed.

**Mr. Robinson:**

I have a question, while I think that the legislation probably has a great deal of merit and I think certainly this issue should be addressed, I just wonder if we might not be jeopardizing ourselves in the case of the City of Pittsburgh by following the suggestion of the attorney for one of the plaintiffs relative to the passage of legislation. I think if Council is to take some action on this issue, we should take it in light of the pending litigation and also in light of the fact that there may be some conflict of interest inasmuch as Mr. Cooper does represent one of the parties suing the City of Pittsburgh.

**Michelle Madoff:**

May I respond to that — the resolution was not introduced by Mr. Cooper, it was introduced by Mr. Flaherty, by myself and we assumed that Mr. Robinson had concurred, that is why his name appeared on the bill. The fact that somebody comes to you, sir, and says, or to Mr. Stone, and says, "I have a \$7,000 bill in my South Side property on a water main break that is from the main to the curb", Mr. Stone doesn't introduce the bill because of that person, he introduces it because he thinks it's fair, in the same way that I have introduced a bill today, an ordinance, which you concurred with, sir, on trees uprooting people's property. This has no bearing on the ordinance at all, it has nothing to do with my speaking to Mr. Cooper or any other attorney —

**Mr. Robinson:**

I think you are missing my point.

**The Chair:**

I think, Mr. Robinson, if I may interrupt, I have to agree 100%, when I saw the letter here, it struck me a little curious that it would be put in writing, if the attorney more or less, is requesting, and as he said, he is the attorney for one of the plaintiffs and I think this should have been on a verbal basis rather than than written.

**Michelle Madoff:**

Well, I'm so up front that I deal openly, and what I felt was, sir, that if somebody had come to me —

**The Chair:**

You may have gotten yourself in a little bit of a rut by being so up front, the gentleman is telling you, I don't know if legally we can go ahead now.

**Michelle Madoff:**

It has no bearing, I mean, if somebody came to me today in my office as an attorney —

**The Chair:**

It has a bearing if you aid this attorney's case. If you aid his case it has a bearing, that is the way the courts may construe it.

**Michelle Madoff:**

The ordinance is not saying that Mr. Cooper is introducing the ordinance, I am introducing it with Mr. Flaherty, if Mr. Robinson wishes to remove his name, that is his decision. The ordinance stands on its merit.

Someone came to me today and said, "I would like you to vote for something that is coming up in the next few weeks", and I said, "No I am not going to", because I don't agree with his position.

**The Chair:**

Michelle, I don't think anybody on this Council is against this resolution, but technically we may have a problem.

**Michelle Madoff:**

I was just sharing the letter from Mr. Cooper as a courtesy in the same way that the letter was share from Mr. Sullivan that was written to you as a courtesy.

**Mrs. Masloff:**

What was your point Mr. Robinson? I want to hear that.

**Mr. Robinson:**

Mr. Cooper did talk to someone on my staff and he also sent me a letter. I think for those of us who did receive a letter dated September 5th, it very specifically indicates that Mr. Cooper did draft a resolution. I assume from what I have read, the resolution that Mr. Cooper drafted is the same resolution that several of us are introducing. My point is not whether or not Mr. Cooper has a right to request that we take some action, I think he is very much within his bounds as a citizen to request that. My point is that the City of Pittsburgh is being sued. We represent the City of Pittsburgh. The City Solicitor's Office which is going to defend in this case, also is our attorney. If we are taking some action that is going to jeopardize the case of the City of Pittsburgh, I think we need to know that up front and move very cautiously. If Mr. Cooper were not an attorney to one of the plaintiffs my concern would not be as grave. I am simply saying that if we choose to take this action, some action relative to this issue, that we ought to do that, but we ought to do that divorced from pending litigation and divorced from influence from persons who are party to that litigation because I believe we are jeopardizing ourselves as representatives of the City of Pittsburgh.

It has nothing to do with me co-spon-

soring this kind of legislation, I think the legislation is appropriate — very much so.

**Michelle Madoff:**

Mr. Flaherty and I would like to ask a question, why did you sponsor it?

**Mr. Givens:**

I would like to point out that some of the people who are involved, not only in this particular case, but other cases within the City as you so alluded to, that were CETA workers. They were federal monies being given to the City of Pittsburgh for these particular jobs. There was no weight, height or any other restrictions put upon these people. When they become, or try to become a full time employee of the City of Pittsburgh, it is the City of Pittsburgh that is putting the restriction on them. I find it kind of ironic where the Federal Government with some two million employees does not have any weight or height restrictions. I think the resolution addresses itself to if there are any requirements in the City of Pittsburgh that require height and weight. I think even our Police Department and our Fire Department, I don't believe, have any restrictions on them. If they do, they are very minimal restrictions on height and weight.

**The Chair:**

I think part of it was brought about because of insurance. There are insurance companies that will not insure overweight people and people with certain ailments and this is probably the trouble that they run into, I can understand — I don't think the City would care if somebody weighed 400 pounds or 100 pounds, I just feel that they feel that, they feel that they can't get them insured and it may jeopardize the whole program.

**Mr. Givens:**

I think we have to address the quality of the people, if they are, I wouldn't say

fat people, but if they are overweight, I just have to look at our —

**The Chair:**

Let's put it this way, everybody loved Kate Smith, okay?

**Mr. Givens:**

I just have to look at our Steeler ball team and say that there are a lot of people overweight in the City of Champions, in the spirit that they play ball in and everything else —

**The Chair:**

You wouldn't say Joe Greene is overweight, would you? I wouldn't tell him.

**Mr. Givens:**

An ordinance can certainly say they are fat people, but I would dare not say they are fat people, but that is the consensus, a person can be overweight, but yet not to the point where if it affects their job, it affects their performance, then I think that is another area for the City of Pittsburgh, they should and they must, for the efficiency of the workers of the City, then, attack that person under the problem of weight, or maybe not enough weight, in order to carry out the responsibilities of the duties assigned to them by the City of Pittsburgh. If weight, either excessive or too light of weight, has to do with their working ability, then and only then should they be challenged.

**Mr. Flaherty:**

Mr. President, I believe that we are stretching the law here, or the sense that this would be an impropriety, extremely thin. From my experience in Harrisburg, every day, members of the Legislature, even more so than on Council, were presented certain ideas by special interest groups, by the specific lobbyists for certain interests,

that certainly would have an impact on the Commonwealth, and it is a fact of life that that is the way this government works. I am not aware of Council having any code of ethics and I am not aware of this violating any rules or regulations, and as far as I know, there was no cash transaction to myself, or Jim O'Malley or Michelle Madoff to introduce this bill, so I feel that we really are stretching the point, and I would move for adoption of this Resolution.

**Mr. Stone:**

Mr. President, I would like to speak on this issue. You know, the fact that Councilman Robinson originally sponsored this thing and now is seeing some problems, I think he is totally on track and we just give it from this end, I didn't know anything about this thing until now, but let's take only what was heard here at this meeting, when Councilman Flaherty spoke up, he indicated that this was the way the attorney recommended that he do it and when he did that I am saying to myself, did we appoint Council another attorney? I didn't understand what was going on until now it comes out that the attorney he was relying on and he mentioned here that that is the way he wanted it, is the same one who now represents one of the aggrieved parties and I think the key here is what you had indicated earlier and that is I think if we are talking about the specific case that generated this whole thing, I think that you will find that everybody sympathetically is with that issue. Now we are going to attempt to go to something that is in general to cover a multitude of things that may come up. I'm not so sure you can do that as kind of a snap judgment in a matter of five or ten minutes that has come up here at this present time. But I think what Mr. Robinson is saying very cogently and unfortunately is not being understood, is the fact that he understands that this is a good thought, the question is how you help to do what you want to do and I think that is the issue now that is before us and I am almost getting to the impression that what we are doing now doesn't seem to be on that right road yet.

**Mr. O'Malley:**

Mr. President, to address Mr. Stone, if there is a question of Mr. Cooper's validity and his presentation of this resolution, I have a second resolution that all Councilmembers have, that we could withdraw Mr. Cooper's resolution and introduce the second resolution.

**Mr. Stone:**

No Jim, I don't think it is that, the thing that I am trying to point out, the background has already been laid here already, it has all been stated and this is the way it came up and I am not aulting anybody, but it is now of record, so to speak, as to how it was coming. I didn't catch it at first as I told you, I thought when you mentioned that attorney that he was a Council attorney —

**Mr. Flaherty:**

I said Cliff Cooper's name when I referred to attorney.

**Michelle Madoff:**

And I also added that I requested that he write it for me.

**Mr. Stone:**

I listened to you, let me finish my point. I didn't understand whether that was, you know, you mentioned Cliff Cooper and I know him better than you, but my problem is, I didn't know in what capacity he was operating and that is the reason I didn't say anything at that point but then he brings it out this way and now I am just pointing out what he is saying to you is that you have laid the groundwork or that already and in the face of what you are about to do, it looks as though there is a tie there, that's all.

Now, obviously, in his, that if this rule were in before his case, then that would have obviously not been a problem. You do it after and this close to it it seems that

the frame of mind of the City of Pittsburgh is that it should have been there and I am not so sure that that is the best way to do it. Although I agree in the kind of principle that you should be watching what you are doing about the shape and size of people.

**The Chair:**

Did you say that you have an altered resolution Mr. O'Malley?

**Mr. O'Malley:**

Yes Mr. President.

**Mr. Stone:**

No, his is part of the other one.

**Mr. O'Malley:**

I drew up a resolution this morning after talking with Melanie Smith and the Civil Service Department trying to get information on what they deem would be acceptable, not as an alternate resolution, but just for my own information and I state again, if there is any doubt about Mr. Cooper's intentions, then I would suggest that this Council withdraw his resolution and go with an alternate resolution.

**Mr. Stone:**

Wait, hold on, let me get something straight here. Far from it — I am not saying that Cliff Cooper is trying to do anything with this Council, okay? That is not the issue, but it has already been dropped here at the time you are about to pass it, with the way it was said, I think it just doesn't look good, what is on the record already. That is all I am saying.

**Michelle Madoff:**

Mr. President, in the interest of expediency and propriety, let me clarify that since I am not an attorney, I went to an attorney that doesn't charge Council and asked him whether he would be gracious

enough after we discussed the issue that he had an interest in to please help me draft the language. We had discussed what I wanted in it and Mr. Flaherty discussed what he wanted in it and I merely said, "Would you put it in writing?" I am not married to these words, nor is Mr. Flaherty married to these words, and indeed, we would be happy to go along with the resolution that Mr. O'Malley has, and make that the resolution, because in essence it accomplishes the same thing. All we are saying is what you said Sir, none of us are perfect, not even you or me, and that we ought to make sure that people are not discriminated against unjustly, and that is the intent of this particular resolution and if we wanted to change the wording so that there is no feeling that the lawyer dealing with it has drafted the wording, so be it and I would be happy to accept the resolution —

**Mr. O'Malley:**

Did you want to withdraw it?

**Michelle Madoff:**

Well the point is, what time frame do we have on this? Can we do it orally, can you just read it orally and we can vote on it, read your whole resolution from beginning to end and we are done.

**Mr. O'Malley:**

Well, I think we have to withdraw the original resolution.

**Michelle Madoff:**

Fine, I will withdraw the original resolution.

**The Chair:**

Will you withdraw the amendment Mr. O'Malley?

**Mr. O'Malley:**

I withdraw my amendment.

**Mr. Robinson:**

I withdraw my second to the amendment.

**Mr. Flaherty:**

Wait, wait, do we have a copy of what you are going to read?

**The Chair:**

Mr. O'Malley, would you read your resolution?

**Mr. O'Malley:**

Whereas, City Council supports the Civil Service Commission's interest in obtaining the best qualified individuals for each job in the City of Pittsburgh; and

Whereas, certain medical and physical conditions may appear to have adverse impact on particular groups of people; and

Whereas, City Council desires to avoid discrimination or adverse impact when it is not job related.

**NOW, THEREFORE,**

**BE IT RESOLVED** that the Council of the City of Pittsburgh create a special code account and appropriate funds to enable the Civil Service Commission to employ and/or retain services of experts in the field of occupational health and medicine, to review the current physical standards for arduous and non-sedentary jobs and to determine the job relatedness of those medical and/or physical standards.

**The Chair:**

Alright, you are including the former amendment in the present resolution, that is all one, you are not making an amendment?

**Mr. O'Malley:**

Yes, this whole thing is my resolution.

**Mr. Flaherty:**

I have a question Mr. President, you had said earlier Jim, that you spoke with someone from the Personnel Office as to see if this was compatible with them?

**Michelle Madoff:**

No.

**Mr. O'Malley:**

I did some research on this because I had some complaints to my office, like the rest of Council has, from people who feel they were being discriminated against, so I called and I talked to Melanie Smith and I talked to a number of medical people and other people to get their feeling on what would best serve the City of Pittsburgh and their advice seemed to be that we needed medical expertise to determine if a certain individual is five pounds overweight, whether they can or cannot handle the job.

As Michelle said, bone structure has a lot to do with it.

**Mr. Flaherty:**

Well, did the Director of Personnel, did she approved of this amendment?

**Mr. O'Malley:**

Yes.

**Mr. Flaherty:**

Well, don't we have the other side of the coin where the people are suing the City via the Personnel Office as Councilman Stone brought up, he said that if we were to pass the one resolution we would be giving credence to Clifford Cooper's clients. I was just wondering if we passed this resolution, are we giving credence to the Personnel Department?

**Mr. O'Malley:**

Well, no, because I think what we

have — we have a problem here and regardless of Melanie Smith's Department or Cliff Cooper, still we have the problem that has to be resolved. The problem is not going to go away if this Council does not act on it. I think it is the benefit to behoove this Council to solve this issue as quickly as possible.

**Mr. Flaherty:**

I agree.

**Mr. O'Malley:**

Thank you Tom.

**Mr. Givens:**

Excuse me Mr. President, I don't want to compound it again, but we have a resolution on the floor that we haven't voted up or down, we have an amendment that we now have made a resolution.

**The Chair:**

We had the original resolution withdrawn and the second.

**Mr. Givens:**

Okay.

**The Chair:**

Now we are on Mr. O'Malley's resolution.

**Mr. Givens:**

Then I would recommend an amendment to what Mr. O'Malley has just indicated and that is that Council will create a special Code Account in the 1981 budget, that we cannot, unless we open up the budget, can we create any code accounts, to my knowledge.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**The Chair:**

I think Mr. O'Malley said that that was his original intent anyway.

**Mr. O'Malley:**

As soon as possible, which would be the 1981 budget.

**Mr. O'Malley** moved for approval of the resolution.

**The Chair:**

Is there any further discussion on the resolution?

And on the question, "Shall the resolution pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Michelle Madoff</b>	<b>(Pres't)</b>

**Ayes 7    Noes none**

And a majority of the votes of Council being in the affirmative, the resolution passed finally.

**Michelle Madoff:**

Mr. President, Mr. President, Mr. Hayllar is here from the Mayor's Office with reference to the subject on Mr. Sullivan. He claims that the information that we have that I received from the City Clerk today, with reference to the appointment of Mr. Sullivan to serve on the Board of Adjustment is to expire in June of '81 and from the Planning Commission in '82 is not correct. I got this from the Clerk, I assumed that I was getting correct information. I don't have a crystal ball.

Also, I understand his reasoning was

that in order to serve on one body, you can't serve on one without serving on the other body, I've forgotten which one it was, that is certainly not a valid argument, because the gentleman could have been re-appointed, that still is not cause and I still think that we stand with none of us are opposed to Mr. Mystick, we think he is a super guy, is that correct? And we think he would make a great Zoning Commissioner, the issue is only out of courtesy to the letter received by Mr. DePasquale from Mr. Sullivan, asking that he have the opportunity to defend his right to continue that we give grant in that, or certainly the law is obeyed under the Home Rule Charter which says: "in writing we give a reason", a reason is not just because he isn't on one, when indeed he could have been appointed to the other. Mr. Sullivan is asking and he has asked me to find out what cause there was. He interprets the word "reason" as cause and he is very distressed and I think

a public servant who has given that kind of devotion is entitled to that kind of respect to just give him his reason and that is the reason for the delay. I hope it will not hold up progress of this community. Nobody is opposed to Mr. Mystick.

**Mr. Givens:**

I think in the future, the Mayor should have to ask the individual board member or commission member to hand in their resignation and when the Mayor does that I think that is a clear indication that he would like to have somebody else serve on the board. He does not have to go in, or should, I think, in Paul Sullivan's case, have to go into rhetoric as to why he wants to relieve Mr. Paul Sullivan.

**On motion of Mr. Givens**

**Council adjourned.**



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, September 15, 1980

No. 35

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAE . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday, September 15, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

The first order of business is usually Presentations, but we have a long agenda today, and rather than have the young lady

and the gentleman with her wait, we have a resolution here that I would like the clerk to read and we'll have it adopted, then it will be presented by Mr. Larry Huff.

#### The Chair presented

No. 1634 WHEREAS, the Senior Citizens of Central Medical Pavilion will honor Mrs. Margaret L. Lampkin at a dinner on September 21, 1980; and

WHEREAS, this dinner is in appreciation of past and present services rendered by Mrs. Lampkin to the City of Pittsburgh; and;

WHEREAS, among Mrs. Lampkin's numerous services and activities, she has been an ardent YWCA worker, a volunteer for Red Cross and Community Chest, member of the Advisory Committee of Magic Carpet Agency which aids the handicapped and elderly, a chartered member of the Pennsylvania Council of Elders, President of Kays Boys Club, in which she devoted thirty years of volunteer services, and an avid fund raiser for the Lemington Avenue Home for the Aged; and

WHEREAS, Margaret Lampkin's concern for spiritual and social well being has enriched the lives of many and has earned her numerous awards and commendations.

#### NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the members of the Council of the City of Pittsburgh, on behalf of the Citizens of Pittsburgh, hereby join with the Senior

Citizens of Central Medical Pavilion in extending commendation and gratitude to Mrs. Margaret L. Lampkin for her dedication, devotion, and service to mankind and for enriching the dignity and pride of the City of Pittsburgh.

Which was read.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair:**

I wonder if Mr. Larry Huff would come up and present the resolution to Mrs. Lampkin.

**Mr. Huff:**

Mr. President, members of Council, it is indeed a pleasure for me to have this opportunity to come this afternoon to accept this resolution for a woman who has done a tremendous amount of work in this great City of ours.

I am pleased to say that I am one of the young men who came to the Kay Club with the direction of Mrs. Lampkin and her husband.

It is not often that we give things to people when they are living, it is so often that when people are dead we say very nice and so sweet, poetic things about them when they cannot hear you. One of the things that we are trying to do is letting Mrs. Lampkin and Mr. Lampkin both know that we certainly appreciate what they did to enrich a lot of young people's lives.

Mr. Chairman, I am indeed honored and pleased that you have given me this opportunity to come today, members of Council I want to thank you again, and at

this time I would like to let Mrs. Barkley, who is a member of our Public Relations Committee, say a few words.

**Mrs. Barkley:**

I would like to say I am very pleased that I am a member of the group that is honoring Mrs. Lampkin. I am happy that I am a resident of the City of Pittsburgh. It makes me proud that Pittsburgh recognizes those who have done much to make Pittsburgh a Championship City in more ways than sports. Thank you.

**The Chair:**

Larry and Mrs. Barkley, I know that I speak for all of Council when I say congratulations to Mrs. Lampkin and it certainly couldn't happen to a nicer person. Thank you for coming.

Now, the first order of business will be Presentation of Papers.

## PRESENTATIONS

**Mr. Coyne** presented

No. 1591 Resolution amending Resolution No. 80, approved 2/15/80, effective 2/22/80, entitled, "A Resolution providing for a Contract or Contracts authorizing the resurfacing of various City streets and Park roads with bituminous materials including asphalt milling, planing, regrading, recurb-ing and other work incidental thereto, PW 80-02, and providing for the payment of the costs thereof.

Also,

No. 1592 Resolution further amending Resolution 1229, approved December 29, 1979, as amended, entitled, "A Resolution adopting the 1980 Capital Budget, approving the 1980 through 1985 Capital Improvement Program", by increasing a line item.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced, so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 1593 Resolution authorizing the reduction of the retained percentage from 10% to 1% on "B" Program, Rehabilitation of Various Streets, Park Roads, with Asphaltic Concrete or other materials.

Which was read and referred to the Committee on Finance.

Also,

No. 1594 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Burt Pipe Supply Co. #1 situated at the intersection of Chateau Street & Ridge Avenue in the 21st Ward of the City of Pittsburgh.

Also,

No. 1595 Resolution taking, appropriating and condemning properties by the City of Pittsburgh, for a public road easement at the northwest corner of Western Avenue and Fulton Street in the 21st Ward of the City of Pittsburgh.

Also,

No. 1596 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Messrs. Balzer, Welsh, and Rodgers, to attend Traffic Signal Equipment Seminar, Twinsburg, Ohio, September 19, 1980, at a cost not to exceed \$145.00, payable from Code Account

1643, Miscellaneous Services, Department of Public Works.

Also,

No. 1597 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker to attend Pennsylvania Cable Television Association Convention, Valley Forge, Pa., October 8-9, 1980, at a cost not to exceed \$390.00, payable from Code Account 1661, Miscellaneous Services, Supplies, Equipment and Materials, Bureau of Cable Communications, Department of Public Works.

Also,

No. 1598 Communication from Louis R. Gaetano, Director, Department of Public Works, imposing 60-day trial traffic regulations effective September 29, 1980, on Wood Street and other streets listed therein.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1599 Resolution providing for a license to Duquesne Light Company for the installation of two (2) anchors on City property fronting on Saw Mill Run Boulevard, 18th Ward.

Also,

No. 1599 Resolution repealing Item (H) of Resolution No. 1024, approved 11/21/79, authorizing sale of vacant lot on Earlham Street, 28th Ward, (40-F-9) to Robert & Annette Marshall. Hand money of (\$100.00) to be returned to purchasers.

Also,

No. 1601 Resolution amending Item (B) of Resolution No. 673, approved 7/25/80, for sale of property on Ligonier Street, 6th Ward, being a vacant lot (49-N-150) to Anthony and Mary Ann Ceoffe for the sum of \$250.00. Amendment is to

correct spelling of name of former owner from Stroka to Sroka.

Also,

No. 1602 Resolution amending Item (C) of Resolution No. 565, approved 6/25/80, for the sale of lot and 2½ story frame house in the 15th Ward on Gladstone Street to Bradley R. Lanese for the sum of \$2,000.00. Amendment is to lower the price of property from \$2,000.00 to \$750.00.

Also,

No. 1603 Resolution amending Item (D) of Resolution No. 673, approved 7/25/80, for the sale of property (lot), Belasco Avenue, 19th Ward, to Jerome & Myra Travis, for the sum of \$300.00. Amendment is to correct T.D.B.V. Page from 338 to 388.

Also,

No. 1604 Resolution amending Item (E) of Resolution No. 289, approved 4/18/80, for the sale of vacant land on Ludlow Street, 15th Ward, Block 55-S, Lots 169, 170 to Joseph Mastriano for the sum of \$800.00. Amendment is to include the name of Thomas F. Easton, co-purchaser.

Also,

No. 1605 Resolution amending Item (F) of Resolution No. 701, approved 7/29/80, for the sale of lot on Morrison & Cora Streets, 25th Ward, (22-D-60) to James S. Wallace, for the sum of \$500.00. Amendment is to correct former owner's name from Alberta Grace Buck to Albert and Grace Buck.

Also,

No. 1606 Resolution amending Item (F) of Resolution No. 673, approved 7/25/80, for the sale of Lot on Evergreen Road, 26th Ward, (163-K-45) to Ralph V. Fueher, for the sum of \$600.00. Amendment is to correct Plan Lot description.

Also,

No. 1607 Resolution amending Item (G) of Resolution No. 701, approved 7/29/80, for the sale of vacant land, a 2½ story house and garage on various streets in the 25th Ward to Oliver E. Kaufman (Etal) for the sum of \$5,150.00. Amendment is to correct TDBV Page and acquisition date.

Also,

No. 1608 Resolution amending Item (I) of Resolution No. 867, approved 8/25/80, for the sale of Tri-lot on Arlington Avenue, 18th Ward, (14-G-31) to William & Roberta Smith, for the sum of \$1,200.00. Amendment is to correct size of lot from 11 x 80 x 70 to 111 x 80 x 70.

Also,

No. 1609 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 193, as amended.

Also,

No. 1610 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 1611 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive equipment (fueling facilities, fuel monitoring system, etc.) for the Department of Supplies, the cost of which is not to exceed \$100,000.00, chargeable to and payable from Capital Project Fund 4-30-01-0001-80 (SD-1), Miscellaneous City Equipment, Department of Supplies.

Also,

No. 1612 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an abraser machine for the Bureau of Tests, Department of Supplies, the cost of which is not to exceed \$2,500.00, chargeable to and payable from Code Account No. 1138, Equipment and Machines, Department of Supplies.

Which were read and referred to the Committee on Supplies.

**Michelle Madoff** presented

No. 1613 Resolution amending Resolution No. 1038, approved December 31, 1976, adopting the 1977 Capital Budget, changing the title of line item WD-77-1.

Which was read and referred to the Committee on Water.

**Mr. O'Malley** presented

No. 1614 Resolution providing for the issuance of warrants in favor of thirty-seven Police Officers in the amount of \$15,618.88 in payment for travel and meals incurred while in training, chargeable to and payable from the Police Recruit Training Trust Fund (PRTTF); and providing for the payment thereof.

Also,

No. 1615 Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, in the amount of \$1,218.00, for rental of equipment due for July, August and September, 1980, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Which were read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 1616 Resolution repealing Resolution No. 442 of 1980, providing for

Agreements with Port Authority of Allegheny County for the Model Neighborhood Reduced Fare Bus Loop Project decreasing amount from \$296,791.97 to \$262,643.00, payable from 1977 and 1978, CDBG Trust Fund.

Also,

No. 1617 Resolution amending Resolution No. 528 of 1978, providing for an Agreement/s with PAT for the operation of Model Neighborhood Reduced Fare Bus Loop, to decrease the amount from \$270,000.00 to \$235,851.03.

Also,

No. 1618 Resolution providing for an Agreement/s with the Pittsburgh Neighborhood Alliance for the implementation of a program entitled "Communities Combating Crime", cost not to exceed \$145,000, payable from 1980 CDBG Trust Fund, Unspecified Local Options, Project #4-40-05-1018-80-909-80-35.

Also,

No. 1619 Resolution amending Resolution No. 462 of 1980, authorizing a Cooperation Agreement/s between City and URA for utilization of administrative funds, so as to add a program called "Historic Preservation — Loans, Grants and Incentives", increasing the sum from \$800,000 to \$880,000, payable from CDBG.

Also,

No. 1620 Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for the providing for professional services to the Board of Code Review in connection with the preparation of new building regulations for the City of Pittsburgh and providing for the payment of the cost thereof.

Also,

No. 1621 Communication from Robert H. Lurcott, Director, Department of

City Planning, requesting permission for Jane Downing to attend NAHRO 1980 National Convention, October 12-15, 1980, New York, NY, at a cost not to exceed \$705.00, payable from Community Block Grant Program.

Also,

No. 1622 Communication from Robert H. Lurcott, Director, Department of City Planning, requesting permission for Sidney Kai Kai to attend Transportation System Management Regional Meeting, Philadelphia, PA, September 18-19, 1980, at a cost not to exceed \$350.00, payable from Community Development Block Grant Program.

Also,

No. 1623 Communication from Paul Brophy, Director, Department of Housing requesting permission for Paul Imhoff to attend Annual Meeting of Association of Major City Building Officials, Albuquerque, New Mexico, September 26-27, at a cost not to exceed \$600.00, payable from Code Account 1376, Travel and Educational Expenses.

Also,

No. 1624 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Paul Body to attend meeting with Mr. Pecone of Economic Development Administration in connection with \$2 Million grant, Philadelphia, PA, September 12, 1980, at a cost not to exceed \$200.00, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson for Mr. Stone presented

No. 1625 Resolution providing for the filing of an application by the City of

Pittsburgh with the U.S. Equal Employment Opportunity Commission for a grant in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for execution of a Grant Contract and for the filing of requisitions and other data, etc.

Also,

No. 1626 Resolution providing for an Agreement/s with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof.

Also,

No. 1627 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Georgine Scarpino, to attend Department of Labor Training Liaison Conference, Camp Springs, Maryland, September 29-30, 1980, at a cost not to exceed \$250.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

#### UNFINISHED BUSINESS

The Chair presented

Bill No. 1538

A Resolution entitled, "Resolution approving the appointment by the Mayor of Joseph Mistick as a member of the Board of Adjustment for a term to expire January, 1982.

Which was read.

The Chair:

Before we vote on Mr. Mistick, I believe you all received a letter from the Law Department explaining that Mr. Sullivan's term apparently was up January 1, 1979, and therefore was allowed to be replaced

without a letter to Council explaining why he was being replaced, in other words, he wasn't being replaced in the middle of his term, his term had expired and he was serving on an interim basis for something like two years.

**Michelle Madoff:**

Mr. DePasquale, thank you for being so gracious and waiting for me. I just want to put this in perspective. I am not a crystal ball gazer and I was not here in the early part of '68, I believe, when supposedly, an entry was made, when he was sworn in, in the books. I asked the City Clerk to give me the bills, the bill said 81' and '82, I just took it at face value. I did not know that indeed, at the time of appointment they wanted to stagger the times and that they had changed it to the end of '79. However, in the Home Rule Charter, and don't hold me to the section, but Mr. Sullivan pointed it out to me, it says something, I think it is 222, that if you do not take the opportunity to appoint that you lose that opportunity, that Council had that opportunity to appoint. That is something that we should check. But, the issue is really not, did Mr. Sullivan deserve to stay or did Mr. Sullivan deserve to get fired, or was his time up or was his time not up. The man wrote a letter to you that from my point of view was full of pathos. He said, "Look, I did a great job. I talked to the Mayor and the Mayor said to me, 'You are no longer needed' without saying why."

Now we were told by legal counsel, Ben Hayllar told me personally, that we had received a letter. When did they send us a letter Mr. President? When we were all on vacation, wasn't that nice, on the 26th or the 28th, and the letter said it gave us a reason. Well, I've discussed it with the reporters and there was no reason, it only said "...because he is not on one board, we won't put him on another board". Well it turned out there is a woman who also was off that board, so there was a vacancy, they did not have to let him go for that reason, it was not true. And all I suggested when we met last time is that when the man

writes a letter saying, "I've given of my life to this City, and I would like the opportunity to be heard by this Council before you make a decision," that we — just out of — how would you feel Mr. DePasquale, after all the years you have given to the City, if an issue came up and you wanted to be heard and nobody would listen to you? You would be very badly hurt, and that is all — the issue is a moral issue.

I think Mr. Mistick is super, I have known him for years, I think he would make a great head of the — I don't think anybody questions that, but the issue was that we did not extend the courtesy because we were not given the opportunity by the Mayor's Office, who blew his own Home Rule Charter because he didn't send us a reason. Had we gotten the letter that he finally sent on the 10th of September, after this meeting, when I spoke to Ben Hayllar and he said, "Well, the Mayor would like to deal with somebody with a different perspective." That is his prerogative, but he never did that, he never complied with the Home Rule Charter and we were left sitting with mud on our face, with misinformation, simply because we didn't get the correct information, and I don't think anybody would disagree with that.

I think that in addition to the letter that has gone out to Mr. Sullivan, I think there should be a joint letter, or maybe a plaque thanking him for his services and telling him that while the decision has been made, and maybe it is redundant, the letter has already gone out thanking him, but I still think that he ought to have something to hang on his wall for all these years of service.

**The Chair:**

You are probably 100% correct with one exception Michelle, we would have been setting a precedent if we would have heard Mr. Sullivan out, and I did confer with some people on the matter and I was told that — and I don't know all of the facts, that it might have been a little embarrassing to Mr. Sullivan if we had some sort

of a hearing, or some sort of, you might even say, investigation of the matter, and rather than embarrass the man, who I have known for 40 years and consider a good friend, and I don't know if it would have been embarrassing, but I thought rather than take that chance, I didn't want to be a party to it, I don't know how the rest of Council feels —

**Michelle Madoff:**

Well, I understand your feelings and I respect them, but I think that the issue was not one of whether he was qualified or not qualified, the Mayor didn't follow his own pro forma, or if he did go pro forma, he didn't follow his own rules of the Home Rule Charter and send us a letter saying, "I want to start with someone else"—

**The Chair:**

Our first mistake was when we did it before we had not taken advantage of the Home Rule Charter in regards to the stipulation where an appointment isn't made for 30 days —

**Michelle Madoff:**

We can fill.

**The Chair:**

... then becomes Council's prerogative. We had that choice I think, remember once before Mr. Givens, and we didn't exercise it out of respect to, I think then, Mayor Flaherty. But, in this case here, I was just a little scared of the thing getting sticky and I thought that maybe the less said the better.

**Michelle Madoff:**

Mr. President, may I suggest that we have a liaison between the Mayor's Office and Council, Mr. Al D'Alessandro. Could we appoint, or would you consider appointing one of his duties to watch the expiration of Boards and Commissions and rules that affect Council, so that we would

have known. I didn't know that — I had been told by the Mayor that he had inadvertently appointed him. That is why I asked for the dates. Do you see? Otherwise I wouldn't even have questioned it.

**The Chair:**

Well, I don't think anybody here was aware of that change in the date.

**Michelle Madoff:**

Well, if Mr. D'Alessandro had said, "Hey, his term expired in '79", and the Mayor hadn't appointed, we would have had the option and maybe we would have appointed Mr. Mistick anyway.

**Mr. Givens:**

Mr. President I have one point to bring up, and that is to all people, including ourselves, the Council here who sit on various authorities, boards and commissions that the Mayor appoints —

**Michelle Madoff:**

No, we don't all, I don't.

**Mr. Givens:**

...that we be cognizant of the fact that we do have a termination date, and let this be a lesson to any member who sits on any authorities, boards or commissions throughout the City of Pittsburgh, they be cognizant of their termination date or the date of the time that they are to serve and if they go much beyond that time, I think they should ask the Mayor or his Administration the question, "Do you want me to serve any longer", or "Do I want to serve on this particular board?" It is something that all of us have to be aware of and something that we must exercise our judgment, as to whether or not we are serving in the capacity that we want to serve in and that the Mayor wants us. Not that it comes up all of a sudden and the individual's term has expired and he is working on one of these boards or



authorities that make policy. Especially the Planning Commission, that is the Six Year Plan, that is the bible by which the City of Pittsburgh is supposed to operate on and their Capital Budget and their improvement of the City and how the City is to be formed in the next six years. It is a very important thing, for the Mayor, or even for that matter, for Paul Sullivan to let this thing fester for over a year's period is something that I can't figure.

**Michelle Madoff:**

I might add something to what Mr. Givens said, I think I am supersensitive to Mr. Sullivan's plight, because of all members of Council, I have never been appointed to any board or commission and I probably never will be, because I call the Mayor on the things that he doesn't do, and fortunately, after I stick a hatpin in his butt, he moves on them.

**Mr. Givens:**

I don't think you are the only one that does that Michelle, I think all of Council points out problems.

**Michelle Madoff:**

But I am the only one who is not on a board or commission.

**Mr. O'Malley:**

Michelle, I'd like to correct you, there are two of us.

**Michelle Madoff:**

Two of us? Well, you will be on one shortly, I'm sure, before I will.

I do want to point out, if anybody missed the news in the media, that the Mayor has now, after I did the research and have been screaming for two years, he is appointing somebody, he is interviewing some people, to assign them to selling city-owned properties, so at least I've been productive.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**The Chair** presented

Bill No. 1542

A Resolution entitled, "Resolution approving the appointment by the Mayor of Joseph Mistick as a member of the City Planning Commission for a term to expire January, 1982."

Which was read.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

**The Chair:**

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

The Chair presented

Bill No. 1546

A Resolution entitled, "Resolution approving the re-appointment by the Mayor of Robert Whitehill as a member of the City Planning Commission for a term to expire January, 1986."

Which was read.

Mr. Robinson moved for approval.

Mrs. Masloff seconded the motion.

The Chair:

Is there any discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the reappointment was approved.

The Chair presented

Bill No. 1550

A Resolution entitled, "Resolution approving the appointment by the Mayor of Donnar Nardini as a member of the Human Relations Commission for a term to expire July, 1982."

Which was read.

Mr. Robinson moved for approval.

Mrs. Masloff seconded the motion.

The Chair:

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

#### REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 1628 Report of the Committee on Finance for September 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1393

A Resolution entitled, "Resolution authoriz-

ing the formation of a Municipality Authority to be known as City of Pittsburgh Equipment Leasing Authority adopting a form of Articles, authorizing the execution of Articles and the filing with the Secretary of the Commonwealth and appointing members, and repealing Resolutions No. 652, effective July 18, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1442

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Co. in the amount of \$7,196.00 in payment for work performed at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1443

A Resolution entitled, "Resolution provid-

ing for the issuance of a warrant in favor of General Tire Service Company in the amount of \$2,239.23 in payment for the purchase of Heavy Equipment tires furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1458

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, 4767 Rt. 8, Allison Park, PA 15101, in the amount of \$2,950.00 in payment for purchase of an AS-1, Auto Sampler furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1459

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA 15236, in the amount of \$2,869.00 in payment for various pipe and fittings and providing for the payment thereof

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. DePasquale  
(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1460

A Resolution entitled, "Resolution transferring \$17,000.00 from Code Account No. 1700, 1795 and 1796 to Code Account No. 1792."

Which was read.

Also,

Bill No. 1461

A Resolution entitled, "Resolution transferring \$137,000.00 from Code Account No. 1703, Utilities, to Code Account No. 1714, Materials and Code Account No. 1701, Miscellaneous Seervices."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council

being in the affirmative, the bills passed finally.

Also,

Bill No. 1467

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$6,064.10 in payment for work performed at Ammon Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read

Also,

Bill No. 1468

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Demon Electric Company, in the amount of \$9,964.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1469

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Incorporated in the amount of \$2,592.35 Dollars in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1470

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of

Navarro Corporation in the amount of \$1,118.00 Dollars, in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1471

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$1,957.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Which was read.

Also,

Bill No. 1472

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allison Park Landscape Contractors, in the amount of \$2,575.00 Dollars in payment for work performed at Marmaduke Playground, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1473

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Andrew Metz Plumbing Company, in the amount of \$487.13, in payment for work performed at Olympia Park Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1474

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$4,010.00 Dollars in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1475

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Penn Landscape and Cement Work in the amount of \$3,506.70 in payment for work performed at Schenley Park Oval, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1476

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Joseph B. Fay Company in the amount of \$10,725.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 1477

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Beredo Construction Company in the amount of \$4,317.00 in payment for work

performed at Olympia Park Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1478

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Incorporated in the amount of \$1,163.89 in payment for work performed at Arlington Gymnasium, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1496

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Bastian Brothers Company, P.O. Box 170, Rochester, New York 14601, in the amount of \$727.20 in payment for one hundred Pittsburgh Police Badges, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1497

A Resolution entitled, "Resolution authorizing the issuance of a warrant in the amount of \$273.00 in favor of Aul & Karlovits, Inc., 513 Second Avenue, Pittsburgh, Pennsylvania, 15219, in payment for emergency transcription done by a stenographic reporter of a Trial Board without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1498

A Resolution entitled, "Resolution transferring the sum of \$78,000.00 from Code Account No. 1461 Salaries and Wages, Regular and Temporary Employees, to Code Account No. 1461-2, In Grade Pay, within the Department of Fire."

Which was read.

Also,

Bill No. 1499

A Resolution entitled, "Resolution transferring the total sum of \$72,000.00 from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police, to the following code accounts: Code Account No. 1447, Miscellaneous Services, \$70,000.00 and Code Account No. 1451, Repairs, \$2,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1504

A Resolution entitled, "Resolution transferring \$26,000 from Code Account 42-2, Contingent Fund to the Housing Department, Bureau of Building Inspection as follows: Code Account 1376, Miscellaneous Services, \$19,000.00, and Code Account 1378, Equipment, \$7,000.00."

Which was read.

Mr. Robinson:

I move to recommit Bill No. 1504 to the Committee on Finance.

Mr. Coyne seconded the motion.

Which motion prevailed.

Mr. Robinson:

This was done to encourage department heads not to go into the Contingency Fund looking for additional funds to operate their department, and I think it may be a good idea to encourage some of the department heads to try a little harder, other than 42-2, and hopefully Wednesday we can find another source to fund the project. Mr. Brophy would like to operate.

Also,

Bill No. 1515

A Resolution entitled, "Resolution providing for the issuance of a \$1,062.50 warrant to Dorothy M. Kamin, Daniel G. Kamin, Robert S. Kamin, Herman Kamin, Jr., and Pittsburgh National Bank, in Trust for Herman Kamin in full settlement of claim for property damage; and providing for payment thereof."

Which was read.

Michelle Madoff:

On Bill No. 1515, where we are paying for the tree uprooting, if memory serves me well, I think that was a '79 claim where somebody got an attorney and they are paying for damage by a tree to their property, and no one else gets paid unless they have somebody to go to bat for them and I would hope that that bill would pass rapidly.

Also,

Bill No. 1516

A Resolution entitled, "Resolution providing for the issuance of a \$850.00 warrant to State Farm Fire & Casualty Company and Arthur C. & Rose C. Wolf in full settlement of claim for property damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 1517

A Resolution entitled, "Resolution providing for the issuance of a \$862.50 warrant to Jack and Marlene Josowitz in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 1518

A Resolution entitled, "Resolution providing for the issuance of warrants to Duquesne Light Company; Irwin Izenon and Anne Izenon his wife and David Izenon; Christopher Passodelis and Catherine Passodelis, his wife and Dinner Bell, Inc., Federal Emergency Management Administration, in the total sum of \$105,300.00 in full settlement of claims for damages as a result of a Water Main Break at intersection of Liberty Avenue and Smithfield Street on or about June 18, 1977."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 1518 I would like my comments from Wednesday's meeting included. They refer to the fact that we had a \$105,000 claim for a water main break, but the Mayor hasn't seen fit to give Mr. Cosentino the adequate number of engineers that he needs, they had to hassle them down from 5 #3 Engineers to 2 #1 Engineers and I think that is penny-wise and pound foolish in light of inflation.

**MICHELLE MADOFF'S REMARKS  
ON BILL NO. 1518 FROM  
THE MEETING OF  
WEDNESDAY, SEPTEMBER 10, 1980:**

**Michelle Madoff:**

Excuse me, one question, Director, do you see the need now, why I am so concerned to go out and fix these old water lines?

**END OF MICHELLE MADOFF'S  
REMARKS ON BILL NO. 1518**

Also,

Bill No. 1519

A Resolution entitled, "Resolution authoriz-

ing the Mayor to issue and the City Controller to countersign a warrant in favor of Grogan, Graffam, McGinley, Solomon & Lucchino, Attorneys at Law, in the amount of \$285.00, in payment for services rendered to the Council of the City of Pittsburgh, without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Service and Salaries of Council."

Which was read.

Also,

Bill No. 1520

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, in the amount of \$577.00 in payment for labor and related installation services furnished for the benefit of the City in connection with repairing and upgrading the computer room air-conditioning units; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.



Also,

Bill No. 1522

A Resolution entitled, "Resolution transferring \$8,500.00 from Code Account No. 49, Reserve Fund, Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 40, Interest on Tax Refunds, Department of City Treasurer."

Which was read.

Also,

Bill No. 1523

A Resolution entitled, "Resolution providing for a Supplemental Agreement with Psychological Service of Pittsburgh to increase the authorized amount from \$15,000.00 to \$20,000.00 for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1563

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Midas Muffler Shops in the amount of \$341.80 for the emergency purchase of automotive parts furnished to the City garage without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

I just want to make one note on those bills, some 11 to 15 of them in this particular package with no previous authority of law, I've never seen so many come before this Council at one particular time, I think those various committees, we ought to look into it and when they start using that "without previous authority of law", that they are doing it without this Council's approval and that they should get at least interim approval for it so somebody knows what in the hell is happening in the City before it happens so we don't get caught with our drawers down again. Right Michelle?

**Michelle Madoff:**

I'm with you.

**The Chair:**

Is there any further discussion on the bill.

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. DePasquale  
(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1587

A Resolution entitled, "Resolution authorizing an increase in the nonelectoral indebtedness of the City in the maximum amount of \$15,750,000 to be represented by note issued in anticipation of the issuance of General Obligation Bonds in at least said amount, establishing the useful lives of projects, accepting the proposal of Mellon Bank, N.A., at a negotiated sale, fixing the maximum interest rate and maturity date of the note, stating sources of repayment of the note, authorizing deposits into the City's Sinking Fund; directing filing of documentation with the Department of Community Affairs, contracting that the note will not become an arbitrage bond, establishing the form of note, and repealing inconsistent resolutions and ordinances."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Schmeiser:**

In connection with the bond anticipation notes, we opened the proposals to the three-depository banks this morning at the Office of the City Controller, and we want to recommend that the notes be awarded in the amount of \$8 Million to Mellon Bank and \$7,750,000 to Pittsburgh National Bank. The interest rates will be identical with both banks; it will be a floating rate which presently is 6.615% with a maximum of 10%.

**Michelle Madoff:**

And did you check and there are no

unencumbered funds in any department? You and I had a little chat about that.

**Mr. Schmeiser:**

That is correct.

**The Chair:**

Thank you Mr. Schmeiser.

**Mr. Givens:**

The only question I have, you said you are already going through with that? My question on this final bill Mr. President, was the principle and the interest rates. I am assuming that must come back to Council for approval, but I am hearing it on the floor today, is this indicating that we are making final approval, or are we going to receive anything back of a more concrete nature on this? We have already negotiated, have we not Ron?

**Mr. Schmeiser:**

I have a copy of the proposals for each member of Council.

**Mr. Givens:**

Are you happy with that floating rate?

**Mr. Schmeiser:**

We really have no choice Mr. Givens because the interest rates are so volatile, that this was our best shot.

**Mr. Givens:**

Okay, what is the rate right now? I know you mentioned 6.15%, I thought —

**Mr. Schmeiser:**

It's 6.615%.

**Mr. Givens:**

And what are we presently going in at — well, that is a floating rate, so what is today's floating rate?

**Mr. Schmeiser:**

That is it, that is today's floating rate. Now with the bonds — the notes were issued, which will be, that goes to the Department of Community Affairs in October, whatever the rate is at that time.

**The Chair:**

I would like to thank Mr. Schmeiser for giving us that added bit of information before we voted.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaberty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 1629 Report of the Committee on Public Works for September 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1444**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the removal and replacement of Traffic Signal Installa-

tions in conjunction with the construction or reconstruction of the following streets: Legislative Route 257 (Thornburg Bridge), Ingram Avenue and Woodmere Drive, Legislative Route 247 and Route 330, Saw Mill Run Boulevard at various locations, Legislative Route 120, Penn Avenue at various locations, Legislative Route 246, Perrysville Avenue at various locations, for the reconstruction and removal and/or replacement of Traffic Signal Installations, all cost for the above mentioned construction to be borne by the Commonwealth of Pennsylvania, Department of Transportation, and all future operation and maintenance costs for these Traffic Signal Installations to be borne by the City of Pittsburgh."

Which was read.

Also,

**Bill No. 1445**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Modjeski and Masters for Professional Engineering Services in connection with the Greenfield Avenue Bridge, and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 1446**

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an automated lettering system and incidental lettering typing equipment (point heads, etc.) for the Department of Public Works, and for the payment thereof."

Which was read.

Also,

**Bill No. 1447**

A Resolution entitled, "Resolution changing the name of Hooper Street, from Forbes

Avenue to Fifth Avenue in the First Ward of the City of Pittsburgh to Chatham Square."

Which was read.

Also,

Bill No. 1448

A Resolution entitled, "Resolution vacating the easterly 20 foot section of Maywood Street from Burgess Street to Maywood Street in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1449

A Resolution entitled, "Resolution authorizing the Director of the Department of Public Works to issue a permit to South Side Hospital to grade and fill the unimproved portion of Edwards Way from 21st Street to 22nd Street at the vacated portion of Edwards Way in the 16th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Coun-

cil being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 1630 Report of the Committee on Planning, Housing and Development for September 10, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 173

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by providing regulations under Conditional Use Exceptions for Group Residence Facilities, Group Care Facilities and Institutional Facilities in specified Zoning Districts."

Which was read.

**Michelle Madoff:**

Bill No. 173, the Group Home bill, I stated earlier, at Wednesday's meeting, I was the one who was cited, or selected for the picketing in front of my home, and I told the people at that time and I have repeatedly stated in Council that all of us never know when our own lives might be affected, whether we live in an "R1" or an "R2", or super Sewickley residence, we never know when tragedy can strike in our own families and we cannot just have the impact of group homes in certain areas, concentrated in certain areas and Mr. Robinson has done a phenomenal job of bringing people together who had diverse opinions, a lot of hostility, and I think he has done an outstanding job.

I do want it on the record that from day one, my response to people who thought I was opposed to group homes, was that I was always for them, they are welcome next door to me and that we must all work together, because as I said, we never know when tragedy is going to strike

us and the bill, which really is a landmark bill, it is probably one of the most important bills — the most important bill that I have seen pass since I have been here on Council and that "R1" and "R2" will have to take their share of responsibility for the community.

**Mr. Givens:**

Mr. President, I would like to add my comments that some three years ago, we started out in the Planning Department to bring these conditions that we have to the City of Pittsburgh to life and I am very pleased and happy today that we have a bill before us, although not all perfect, it is one I think we can live with and amend as we go along.

**Mr. Robinson:**

Mr. President, this piece of legislation, Bill No. 173, to my understanding, is the first in the Commonwealth of Pennsylvania, and hopefully we will become a model for other cities that are attempting to deal with the issue of group home and group care facilities. Also, I would hope that this would serve as a model for possible state legislation which is presently being considered to address the issue of group care and group home facilities across the Commonwealth of Pennsylvania.

Also, I would hope that the Planning Department and our Zoning Administrator Mr. Brown would take advantage of the task force that worked so diligently on this piece of legislation and ask them to work along with us in terms of evaluating its effectiveness and assuring that there is some community and agency input into its implementation.

I would like my remarks from Wednesday's meeting incorporated into the minutes of this meeting.

MR. ROBINSON'S REMARK'S  
ON BILL NO. 173 FROM  
THE MEETING OF  
WEDNESDAY, SEPTEMBER 10, 1980:

**Mr. Robinson:**

Mr. President, Mr. Lurcott did forward to Council, subsequent to our holding this bill last week, a cover letter and some suggested changes in this legislation. For the benefit of Council, I have been working with Mr. Lurcott on this matter and we have been trying to address those issues that both Council has raised and the community organizations have raised relative to Bill No. 173. I believe the document that Mr. Lurcott has forwarded does speak to all of our concerns and certainly it speaks to the issue of opening up all of the zones.

There are two things that I would like to mention. We have attempted where possible to address all of the concerns that have been raised and to do this in a co-operative fashion and also we have established some sort of administrative procedure which is listed in this document which gives Council and other parties an opportunity to see how this particular piece of legislation will be administered. It is my feeling that the administration of this is going to be far more important than anything we put in writing and I think it is fair to all parties concerned.

Just one other comment. The group residences, which are the similar facilities, the distance between them, remains at one-half mile. The group care facilities, which are the larger facilities, will be allowed in "R4" and "R5" areas, but the distance will be one-quarter mile. In light of that I would recommend that Council accept the amendment that has been prepared and take action on this bill. We have until the 29th of this month to take action. Otherwise, we will have to re-advertise for another hearing. I recommend that we accept these recommendations as an amendment to Bill No. 173.

**Mr. Givens:**

Bill, I guess some of the people have received this. Are you talking about one-half mile?

**Mr. Robinson:**

Before it was one-half mile across the board. We have tried to make some adjustments to take into consideration those concerns of communities that felt they might want additional facilities and the only way for them to have those facilities is for the distance to be reduced from a half-mile to a quarter-mile for the larger facilities. The smaller ones are still one-half mile.

**END OF MR. ROBINSON'S REMARKS  
ON BILL NO. 173.**

**Michelle Madoff:**

Mr. President, we have in the audience Mr. Joshua Perfer who of course cannot speak and he has a press release which he is distributing, he is acting for United Mental Health, Inc., and I presume he is a member of the board, he is President as a matter of fact and I would like to read his statement so that it is in the record.

"United Mental Health is very pleased with Council's action today. We have worked very long and very hard to have all zones opened to the establishment of group homes. Pittsburgh now has a group home zoning provision that is a model for the rest of the state and we intend to take the Pittsburgh model to Harrisburg and advocate for its inclusion in all municipal zoning codes. We also want to thank City Council for their leadership in tackling this tough community program."

And while you are at it you might chastise the Mayor because he should have had this bill before us years ago. That is my own comment.

**Mr. Givens:**

Its been three years in the making.

**Michelle Madoff:**

Well, he is running for office so he can't have a controversial bill.

**The Chair:**

I might add, as Mr. Robinson stated, it is a very important bill and Council took a great deal of time to try to draft it properly as Mr. Robinson said it is still not perfect but it is probably as good a bill as we could have drafted and we would like to apologize for taking so long but at the same time we wanted to do it rather in the right vein.

**Michelle Madoff:**

But you would agree Mr. President, that Council took the leadership in this role, and there is no doubt about it and I think Mr. Robinson did an outstanding job.

**The Chair:**

I'll agree on both points, I'm not looking for an argument when it comes to Council.

**Michelle Madoff:**

The Mayor is going to take credit for it anyway, but I just thought we'd put it in perspective.

**The Chair:**

The gentleman you mentioned, is he in the audience?

**Michelle Madoff:**

Yes he is, Mr. Josh Perfer is right there.

**The Chair:**

Thank you Mr. Perfer, we appreciate your comments.

Also,

Bill No. 1505

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a) A 33 of the Pittsburgh Code, Title Nine,

Zoning, Article V, Chapter 993 to the Public Housing Authority of the City of Pittsburgh, for authorization to construct a 5-story, 30 unit Housing for Elderly facility over a public parking garage of the Public Parking Authority of the City of Pittsburgh, on property identified as Block 97 D, Lots Numbered 67, 68, and 71 in the Allegheny County Block and Lot System, located on the southwesterly side of BROOKLINE BOULEVARD, east of STEBBINS AVENUE, 19th Ward."

Which was read.

Also,

Bill No. 1506

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Ebenezer Development Corp., for construction of an eleven story, 101 unit housing for the elderly facility on property zoned 'R4' Multiple-Family Residence District and 'C3' Commercial District fronting on CENTRE AVENUE, DINWIDDIE STREET DEVILLIERS STREET and ROSE STREET; identified as Block 11-A, Lots Numbered 268, 271, 274, 318, 319, 320, 322 and Block 10-N, Lot Numbered 364 in the Allegheny County Block and Lot System, 3rd Ward."

Which was read.

Also,

Bill No. 1507

A Resolution entitled, "A Resolution providing for the issuance of a Certificate of Appropriateness for a new building to be constructed at the southeast corner of Market Square (a/k/a the PPG Relocation Building 'D'), Lot and Block 1-H-179, in the Market Square Historic District, 1st Ward."

Which was read.

Also,

Bill No. 1508

A Resolution entitled, "A Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 430 Market Street, Lot and Block 1-D-1655, in the Market Square Historic District in the 2nd Ward."

Which was read.

Also,

Bill No. 1509

A Resolution entitled, "Resolution approving application for preliminary loan for low-rent public housing."

Which was read.

Also,

Bill No. 1510

A Resolution entitled, "Resolution amending Resolution No. 148, approved February 17, 1978, effective February 27, 1978, entitled, 'Defining the term "Eligible Housing" and making certain other findings in connection with the rehabilitation of the housing stock of the City; providing for a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh to implement a program for the rehabilitation of eligible housing, including issuance by said Authority of revenue bonds; clarifying Resolution 545 of 1977 to permit use of funds designated for the Home Repair Loan Program in conjunction with said bonds,' by increasing the adjusted family income limits for persons seeking funds for the rehabilitation of low to middle income housing to \$30,000 per year."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 1631 Report of the Committee on Water for September 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1462

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of compactors for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 1463

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an air power boring machine and incidental equipment (drill rod, cutting head, etc.) for the Department of Water, and for the payment thereof."

Which was read.

Also,

Bill No. 1464

A Resolution entitled, "Resolution repealing Ordinance No. 699, approved November 17, 1975, entitled, 'Providing for the letting of a contract or contracts for the installation of chain link fence, security systems and appurtenances for the Department of Water storage facilities and providing for the payment of the costs thereof.'"

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes.

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale

(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 1632 Report of the Committee on Parks and Recreation for September 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1479

A Resolution entitled, "Resolution providing for an agreement or agreements with



the Architects of the new West End Shelterhouse, the Westwood Pool and the Highland Bathhouse for professional services in connection with the design and installation of works of art at these locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1480

A Resolution entitled, "Resolution amending Resolution 249, effective April 11, 1980 entitled: 'Providing for an Agreement or Agreements with the Hill Top United Methodist Church for the design and renovation of the Allentown Senior Citizen Center portion of the church and providing for the payment of the cost thereof,' by changing the party of the agreement."

Which was read.

Also,

Bill No. 1481

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with Ormsby Pool and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1482

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1483

A Resolution entitled, "Resolution provid-

ing for the letting of a contract or contracts for the furnishing and delivery of 17" Hand Propelled Trimming Mowers for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1484

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a backhoe bucket and backhoe mounting kit for the Zoological Park Commission and for the payment thereof."

Which was read.

Also,

Bill No. 1485

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of appliances (refrigerators) for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1486

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of general office furniture (chairs, tables, etc.) for the Senior Citizens Centers, and for the payment thereof."

Which was read.

Also,

Bill No. 1487

A Resolution entitled, "Resolution providing for the letting of a contract or contracts

for the removal of dead and diseased trees in public rights of way and parks and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1488

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1489

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of improvements at South Side Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1490

A Resolution entitled, "Resolution repealing Resolution No. 1389, approved December 8, 1978, effective December 14, 1978, entitled: 'Providing for a Contract or Contracts or Use of Existing Contracts for the Repair of Restrooms at Ammon Recreation Center and Providing for the Payment of the Cost Thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

No. 1633 Report of the Committee on Public Safety for September 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1500

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Pressure Demand Air Masks with composite air bottles and carrying cases for the Fire Department, and for the payment thereof."

Which was read.

Also,

Bill No. 1501

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of typewriters for the Police Department, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1502

A Resolution entitled, "Resolution amending Resolution Number 842 of 1979, approved September 26, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) stretchers for the Department of Emergency Medical Services, and for the payment thereof, by increasing the amount from \$3,500.00 to \$4,360.00.'"

Which was read.

**Mr. Givens:**

On Bill No. 1502, that seems quite high for ten stretchers, that \$4,360. Is that amount correct?

**Mr. O'Malley:**

That is the bill I got from Director Cannon.

**Mr. Givens:**

I wonder if these are special types of stretchers, or what they can do with them? My God, a stretcher doesn't cost that much.

**The Chair:**

Have you priced stretchers lately?

**Mr. Givens:**

Can we hold it Jim? You know the stretchers I've seen them use — I question this. I ask that the bill be held for one week until we find out what kind of stretchers we are getting.

**Mr. O'Malley:**

Okay.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

## MOTIONS AND RESOLUTIONS

**The Chair** presented

No. 1635 WHEREAS, on September 19, 1980, Annunciation Church will sponsor a dinner in honor of Robert F. Gillespie, and;

WHEREAS, the purpose of this dinner is to honor Mr. Gillespie for his 30 years as an outstanding coach for Annunciation Grade School football team; and

WHEREAS, Mr. Gillespie's long service has enriched the lives of many and has fostered a great awareness of spirit and discipline among the youth and the entire community.

NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and honor the great dedication, devotion and excellent leadership of Mr. Robert Gillespie in his 30 years as an outstanding coach for Annunciation Grade School football team, and we wish to extend sincere gratitude for fostering the spirit, dignity, and pride of our City's youth.

Which was read.

**Mr. Flaherty** moved for approval.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Flaherty:**

Mr. President, I would ask that Miss Michelle Cunko, who is the Assistant Director of Personnel, appear for a Post Agenda hearing at our upcoming Committee meeting. The purpose of the Post Agenda is that we on Council would appreciate it if she would clarify the City's standards as far as weight requirements for City employees. Also, if she would be kind enough to bring along any rules or regulations that she has in regard to those requirements.

**Mr. Givens:**

Mr. President, I have two things, one in on the — really, I would like a letter to go from our Chief Clerk to the President of the School Board and also to the School Director. The problem is that since Yellow Cab has gone on strike, many of our children that are taken to these types of schools that are for the handicapped, or the mentally retarded, or other various special programs of education in the City of Pittsburgh, the parents or the guardians of these students are now having to provide this transportation and in many cases Mr. President, it is across the width of our City. This has been going on now for over a week and a half with no resolution and with the fact that Yellow Cab might be on strike for a number of weeks, I would like some type of addressing of this particular problem for the citizens of the City of Pittsburgh. There are other taxi facilities out there, there are other transportation facilities that can be used. In many cases we are talking about children who have to be hand delivered

from their home to the school and back again.

The second subject is that we are having some difficulties with the Parking Authority in the Bloomfield area and I would like some representative from the Parking Authority to come in this Wednesday and discuss the lighting of our Parking Authority garages, especially those in residential areas, if we can reduce the elimination during the wee hours of the night and some of the problems with the security in these lots. The problem is, who is responsible for the enforcement of the law? Is it the Authority or the Pittsburgh Police Department.

**Mrs. Masloff:**

The Police Department.

**Mr. Givens:**

I am sure it would be the Police Department, but we have a problem in this one particular area and I am sure it has happened in other areas and I would like to get some answers on that if I might. Thank you Mr. President.

**Mrs. Masloff** moved to excuse Mr. Stone for absence from this meeting.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mrs. Masloff** moved to approve the minutes of Monday, September 2, 1980.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

And on motion of **Mrs. Masloff**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, September 22, 1980

No. 36

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, September 22, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Our first order of business is usually Presentation of Papers, however, there is a resolution to be read by Councilman O'Malley and awarded to these people. Mr. O'Malley would you step up to the podium.

#### Mr. O'Malley:

Thank you Mr. President. Today I shall introduce a resolution to support the stand of Pittsburgh Action Against Rape and the Center for Victims of Violent Crime to prevent the records of rape victims from becoming a matter of public record. It is my strong belief that such personal and painfully given information should be privileged, if not more privileged than any confidential communication between a doctor and his patient and a lawyer and his client.

The problem that many individuals have with permitting rape victims not to exercise such a well deserved privilege are based on, I believe, a complete lack of understanding of what rape is and what rape means.

Rape in the State of Pennsylvania is defined as unlawful carnal knowledge of a woman by force and without her consent. Interestingly enough, a man, by the very definition of rape, cannot be raped in the State of Pennsylvania, and yet, a vast majority of the persons society, whether or not this very personal information is to be divulged for scrutiny by non-professionals in this field of rape counseling, are men. The only example of feelings of degregation and humiliation that a man could even equate to the feelings of a rape victim would be those feelings associated with a male force attack. Would any of the men in this room today, if he had been terrorized and brutally assaulted by another male, or possibly a group of males, want this information to be open and privileged to the public? Remember, rape is not a crime of passion, but a crime of violence.

It is not for sexual satisfaction that a rapist attacks, but a rapist attacks out of anger. Experts in the field compare the feelings of a rapist to those of a murderer, only their feelings are given different outlets. However, many times the results are the same, death to the victims.

In Pittsburgh, one out of every seventy-five women will be raped. Over Fifty percent of those raped will know their assailants to one degree or to another. Forty-two percent will be under the age of 18 years old, and every woman is a potential target.

If rape were a crime of passion, surely, 70 and 80 year old women would not be raped.

The conviction rate of rapists in Pittsburgh is 87%, among the highest in the nation. However, for every two women who come forward to admit their rape and to seek help, eight others don't.

Rapists view women as manipulative and powerful. The rapists feel that they are inferior to women. Rapists, when interviewed, have ever stated that a woman is not raped because she provoked it or enjoyed it, but because she was the object of his anger, anger caused perhaps because 70% of all rapists were sexually abused as children.

A woman being raped is in a losing situation. If she resists it encourages the rapists to be more violent. She may end up dead. If she submits, many defense attorneys and family members would insinuate that she provoked and enjoyed the attack. However, the initial reaction of many rape victims is that they wish they were dead, and without expert help and expert counseling, many rape victims cross the line from a living death to a death by suicide. A victim of rape is subject to reactions of doctors, nurses, police officers, lawyers, judges, family members and acquaintances.

With the expert help of organizations such as Pittsburgh Acton Against Rape and

the Center for Victims of Violent Crimes, these victims have a chance to rebuild their lives and to go forward by learning to deal with their feelings caused by that devastating crime. These victims need someone who will understand someone who will be there to deal with the doctors and to deal with the courts. Someone who will reinforce the fact in their minds that they are the victims and not the accused.

The counselors I feel, must, and I must emphasize, be someone who the victims can trust. This information divulged to this counselor must be protected or these victims will stop coming forward, and alone, these sexually abused and battered women will have to fathom the problems, or cross the line to the only other refuge they will have, which is death.

Therefore I urge my fellow Councilmembers to support the following resolution and in turn this may encourage the State Legislature to pass Bill No. 1160.

**Mr. O'Malley presented**

No. 984 WHEREAS, rape is a violent crime victimizing persons of all ages, sex and race which can result in physical and psychological trauma to the victim and their families; and

WHEREAS, PAAR and the CVVC provides immediate counseling and assistance to victims of sexual assault; and

WHEREAS, the confidentiality of the consultation between victim and counselor is currently threatened by legal questions which have recently arisen; and

WHEREAS, the records are not formal reports, but merely hearsay impressions of the advocate, recorded with no codification; and

WHEREAS, the lack of confidentiality will deter victims of rape from seeking the available assistance,

**NOW, THEREFORE**

BE IT RESOLVED, that the members of the Council of the City of Pittsburgh, on order to protect the right to confidential consultation with a trained victim advocate, urges the passage of House Bill No. 1160.

Which was read.

Michelle Madoff seconded the motion.

Mr. O'Malley moved for adoption.

Which motion prevailed.

Mr. Stone:

Mr. President, if I may, in reading this particular resolution, having served as an Assistant District Attorney for some seven years, and having tried, perhaps as many as any District Attorney has tried in these kind of charges, representing abused women and those upon whom rape was committed, I have nothing but contempt for rapists. But, I think that best put as I might say it today is, my heart will dictate to me to pass this thing because I think that they need some help, but I would not like to give anyone the feeling that something good is going to happen because I think as it is right now, this matter is now in legal dispute, the very point is in the courts. I don't predict, as I see it as a lawyer, that this position is going to be sustained. As I have indicated before, I will join this because my heart dictates the need to do something, but if based on the matter of an equal protection of the victim as well as the so-called, innocently charged individual, there are some balancing factors and I think that the court is going to have to resolve that. I just hope, and sincerely hope, that this is not just an act in fruitility, but I just want to bring that out. I will vote for it, but I think this needs to be said.

Mr. O'Malley:

I would like to have Pam Kozey from the Center for Victims of Violent Crime come up and receive the resolution please.

Ms. Kozey:

Honorable members of City Council, I would like to express our appreciation, that is, mine, from the Center for Victims of Violent Crime and Pittsburgh Action Against Rape for your support in this issue. We feel that the legislation here is extremely important in our case and I think the Councilman brought up a very important point, he said that that is now in legal dispute and yes, that is true, but one of the important points in this legal dispute is that we have support from our community and that public policy can be shown to support the position of confidentiality of rape crisis center records. What we are talking about here is what we feel an intrusion, another invasion of a victims privacy, and if we just sort of take that and generalize a little bit, if anyone is a victim of a crime and reports that crime and wants to prosecute or wants the state to prosecute the person who perpetrated that crime, does that defendant then have the right to access to all information about this individual just because they are a victim of a crime and want to prosecute. We say no and we feel that defendants subpoenaing records of rape crisis centers is a step in that direction. We feel that we must stop that and this is one of the ways in which to do it.

Another point I would like to bring up is that rape crisis centers were created because of the need in the community for victims who are traumatized beyond belief by being victims of the crime or rape and because sometimes the insensitivity of the system in dealing with them. As a result we have rape crisis centers. They started out as voluntary organizations, but I think it was realized early on by government that this was something that was very important and so they funded rape crisis centers. And now that same government if they find in favor of the defendant, can destroy the rape crisis centers that they have fostered over these many years and I would say over at least six years since they began funding them.

In closing I would like to say that I

appreciate again, City Council's support of the issue in making such a very strong public policy statement about it. Thank you.

**The Chair:**

The resolution carries. Before we go any further, I am very honored this afternoon to have with us a member of Detroit's City Council, David Eberhardt and we have his assistant, Larry Delos, I wonder if those gentlemen would stand please, let's give them a hand.

**APPLAUSE**

Thank you for being with us today gentlemen.

**PRESENTATIONS**

**Mr. Coyne presented**

No. 1636 Resolution amending Resolution No. 87 approved 2/22/80, entitled, "Providing for issuance of a warrant in favor of Boquet Construction Company in the amount of \$6,123.00 in payment for extra work furnished for the benefit of the City in connection with sidewalk construction, various locations and other work incidental thereto (Community Development) and providing for the payment thereof."

Which was read and referred to the Committee on Finance.

**Mr. Coyne** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 1637 Resolution authorizing the issuance of a warrant in favor of the Bethlehem Wire and Fence Co., in the amount

of \$1,836.18, in payment for the purchase of a chain link fence to be installed by City Forces on the Centre Avenue Bridge Project, for the benefit of the City and providing for the payment thereof.

Also,

No. 1638 Resolution transferring \$1,600.00 from Code Account 1534, Equipment, to Code Account 1530, Miscellaneous Services, both accounts within the Bureau of Engineering, Department of Public Works.

Which were read and referred to the Committee on Finance.

Also,

No. 1639 Resolution further amending Resolution No. 1229, approved 12/29/79, effective 1/1/80, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program" by redefining funding sources.

Which was read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 1640 Resolution providing for a Cooperation Agreement/s with Hill House Association in connection with renovations at the Kaufmann/Hill House Multi-Service Center, chargeable to and payable from Capital Project LB 79-13 (4-25-13-2039-79-40-79-25) Hill House, Kaufmann Center Roof Rehabilitation, Department of Lands and Buildings.

Also,

No. 1641 Resolution providing for a lease with M. Berger Land Company of certain property at S. 4th and Bingham Sts., to be used as office space for the Department of Environmental Services, total rental \$27,625.00 payable from C.A. No. 1361, Miscellaneous Services, Department of Lands and Buildings.



Also,

No. 1642 Resolution repealing Resolution No. 51 (Item B) approved 2/15/80, for the sale of vacant lot on W. Carson St. in the 20th Ward, Block 21-K, Lot 59, to Richard S. Francis, for the sum of \$750.00. Resolution is to return hand money to purchaser.

Also,

No. 1643 Resolution repealing Resolution No. 50 (Item C), approved 2/15/80, for the sale of vacant land on W. Carson St., in the 20th Ward, designated as Block 21-L, Lots 58, 63 and Block 21-P, Lot 273, to Richard S. Francis, for the sum of \$2,850.00. Resolution is to return hand money to purchaser.

Also,

No. 1644 Resolution repealing Item (D) of Resolution No. 4831, approved 6/3/80, for the sale of lot on Tullymet St., 15th Ward, (55--77) to Randolph and Sylvia Nagy, for the sum of \$700.00. Resolution is to return hand money to purchaser.

Also,

No. 1645 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947 as amended.

Also,

No. 1646 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,108.00 for Peerless Model steam boiler to be installed at Bloomfield Playground.

Also,

No. 1647 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$19,251.54 to Thomas Di-Diano Construction, Inc., for extra work in connection with Sheraden Library/Community Building. Funds are available in Capital Project 80-05.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 1648 Resolution providing for an Agreement or Agreements with Charles Hatch Spagnola, Director of Driver Training, General Teamsters, Chauffeurs and Helpers, Local Union No. 249, for driver training for City employees; and providing for the cost thereof.

Also,

No. 1649 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting permission for two Staff Members to test and inspect fire hose purchased from Sanford Fire Apparatus Corporation, Miami, Florida, September 24-27, 1980, at a cost not to exceed \$900.00, payable from Code Account 1128, Miscellaneous Services, Department of Supplies.

Also,

No. 1650 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting permission for Director Yatch and Supervisor Rich to attend National Institute of Government Purchasing Annual Conference, Las Vegas, Nevada, October 3-7, 1980, at a cost not to exceed \$1,347.00, payable from Code Account 1128, Miscellaneous Services, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 1651 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 22nd and Merri-man Streets, P.O. Box 4282, Pittsburgh, PA 15203, in the amount of \$4,400.00 chargeable to and payable from C.B.A. WD-80-07, 4-05-25-0001-80, Purchase and Installation of Valves by Contract at Various Locations, Department of Water.

Also,

No. 1652 Resolution transferring \$70,000.00 from Code Account No. 1792, Con-

tingency Fund, Unexpended Salaries, to Code Account No. 1705, Repairs and Code Account No. 1750, Chemicals.

Which were read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 1653 Resolution authorizing the issuance of a warrant to Westinghouse Electric Corporation for work performed at the Pittsburgh Zoo in the amount of \$360.42, Code Account No. 1856, Repairs, Zoological Park Commission, Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 1654 Resolution amending Resolution No. 327, effective April 25, 1980, entitled, "... repealing Resolution No. 521, effective June 18, 1980, entitled, 'Transferring \$78,000 from Code Account 44, Special Summer Food Service Program'".

Also,

No. 1655 Resolution amending Resolution No. 96, effective February 28, 1980, entitled: "Providing for an Agreement or Agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof" by providing for the use of existing agreements at a cost not to exceed \$100,000.00.

Also,

No. 1656 Resolution granting a License to Duquesne Light Company for the installation of one pole and anchor and underground electrical system on City property fronting on Breining Street, 32nd Ward.

Also,

No. 1657 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission to attend meeting with officials of Heritage Con-

servation and Recreation Service to discuss funding for Parks and Recreation Projects, Washington, D.C., September 23, 1980, at a cost not to exceed \$220.00, payable from Code Account 1801, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 1658 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting permission for Michael J. Nuzzi, Veterinarian to attend National Conference of American Association of Zoo Veterinarians, Washington, D.C., October 19-23, 1980, at a cost not to exceed \$587.00 payable from Code Account 1852, Miscellaneous Services, Zoological Park Commission of Pittsburgh.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 1659 Communication from Glenn Cannon, Director, Department of Emergency Medical Services, requesting permission for Messrs. Full, Rowntree and Garretson, to attend seminar/workshop on Rail and Highway Hazardous Materials, Belle Vernon, PA, October 19, 1980, at a cost not to exceed \$150.00, payable from Code Account 1421, Miscellaneous Services, Department of Emergency Medical Services.

Also,

No. 1660 Communication from Glenn Cannon, Director, Department of Emergency Medical Services, requesting permission for Kathy Berlin, R.N., to attend 10th Annual Scientific Assembly of Emergency Department Nurses Association, Atlanta, Georgia, October 29 - November 2, 1980, at cost not to exceed \$900.00, payable from Code Account 1421 Miscellaneous Services, Department of Emergency Medical Services.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 1661 An Ordinance amending the

Pittsburgh Code, Title Nine, Zoning District Map No. 6 by changing from "C3" Commercial District to "R2" Two-Family Residence, "R3" Multiple-Family Residence and "C1" Neighborhood Retail Districts certain properties having frontage on PERRYVILLE AVENUE between KENWOOD AVENUE and ELLZEY STREET, 26th Ward.

Also,

No. 1662 Resolution approving the sale of part of Parcels 4C and 4E in the 11th Ward of the City of Pittsburgh by and between URA and The Port Authority of Allegheny County for \$61,050.00, Industrial Land Reserve Fund. (Penn Avenue).

Which were read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1663 Resolution providing for the issuance of a warrant to Arvid Stitely and Sharon Stitely, c/o David Ainsman, Esquire in the amount of \$1,000.00, in full settlement of a claim arising from personal property damage resulting from a motor vehicle collision at the intersection of Friendship Avenue and Amber Street, Pittsburgh, on March 2, 1979.

Also,

No. 1664 Resolution providing for the issuance of a warrant to Julia B. Ryan, c/o Stephen J. Harris, Esquire, in the amount of \$1,250.00 in full settlement of a claim arising from personal injuries resulting from a fall on Centre Avenue, Pittsburgh, on 8/7/75.

Also,

No. 1665 Resolution transferring the sum of \$2,500.00 between code accounts within the Department of City Controller.

Also,

No. 1666 Resolution transferring \$5,-

938.00 from City-County Identification and Information System Project (C-CIISP STF #2 Pittsburgh National Bank) to the following accounts: Police Community Relations Project \$2,920.00, Public Inebriate Program \$3,108.00.

Also,

No. 1667 Resolution transferring \$170,000.00 from Code Account No. 53-1, Reserve Fund, Debt Service, Stadium Authority, Department of City Treasurer to Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer.

Also,

No. 1668 Resolution transferring the aggregate sum of \$21,000.00 within Code Accounts of or administered by the Department of Law.

Also,

No. 1669 Transferring the sum of \$20,000.00 from Code Account 1099-2, Overauthorized Salaries and Wages, to Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 1670 Resolution providing for an Agreement or Agreements with Lana M. Byer for stenographic reporting services in connection with public hearing or hearings, and providing for the payment of the cost thereof.

Also,

No. 1671 Communication from John E. McGrady, City Controller, requesting permission for Joseph T. Ware to go to Miami, Florida, September 24-26, 1980 for the purpose of inspecting fire hose which is to be purchased by the City of Pittsburgh.

Also,

No. 1672 Communication from Ron-

ald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of July 31, 1980.

Also,

No. 1673 Communication from Mayor Caliguiri requesting permission for Stephen Schillo to attend Governmental Accounting colloquia, Chicago, Ill., December 3, 1980, at a cost not to exceed \$425.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which were severally read and referred to the Committee on Finance.

Mr. Stone presented

No. 1674 Report of the Committee on Finance for September 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1555

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pennsylvania Drilling Company, in the amount of Five Hundred Twenty (\$520.00) Dollars in payment for emergency work furnished for the benefit of the city in connection with Chestnut Street Site Demolition and Backfilling; and providing for the payment thereof.

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

On Bill No. 1555, I am going to abstain and I would like my comments included in the final record.

**MICHELLE MADOFF'S COMMENTS  
ON BILL NO. 1555  
FROM THE MEETING OF  
WEDNESDAY, SEPTEMBER 17, 1980:**

**Michelle Madoff:**

Mr. President, I would like my comments recorded in the Monday meeting just so everybody remembers this bill is payment for Pennsylvania drilling that went out to the fire station on the Northside and found that the job had not been done properly. We would not have known if the inspector hadn't alerted us to the fact; we paid for in excess, more than what that job should have been and I was wrong once, but later that night I was proven right and as you know the gentleman in question has since been indicated on another matter and it pains me and I am flabbergasted. I think someone in the Administration is his character witness who was none other than Mr. Imhoff, who I —

**Mr. Givens:**

I disagree with that, that is personal.

**Michelle Madoff:**

You're out of order.

**Mr. Givens:**

You're out of order.

**Mr. Givens:**

You're out of order, he is going to do what he wants to do.

**Michelle Madoff:**

This bill is payment for a job that should have never had to be done. If anyone else was working for this city — and we have had episodes when there are missing articles in various departments and there is punitive action; we had an incident where somebody wrote their own questions, there was punitive action. There was no punitive action of any sort, not even one day, one hour's pay taken against the department

head who acted as a character witness and we are paying \$580.00. I want that in the record.

**Mr. DePasquale:**

First of all, bear in mind Michelle we did approve it before —

**Michelle Madoff:**

I didn't approve it, I voted against it. Here is an example of a bill that we are paying for an unnecessary item and the person who should be paying, that is Mr. Crown, he didn't do the work; he should be paying for that himself. I just want my statement in the record.

**END OF MICHELLE MADOFF'S  
REMARKS ON BILL NO. 1555.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 8    Noes none**

**ONE ABSTAINING,  
MICHELLE MADOFF**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 1565**

A Resolution entitled, "Resolution provid-

ing for the issuance of a warrant in favor of General Tire Service, 3301 Smallman Street, Pittsburgh, PA 15201, in the amount of \$302.64 in payment for a tire and inner tube for a Department of Water Back-Hoe Loader furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 1570**

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1832, Recreational Wages, Temporary Employees, the amount of \$28,500 from Council's Contingent Fund, Code Account 42-2."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1578

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Financial Press Corporation for the emergency printing of the 1979 Controller's Annual Report without previous authority of law. Interim approval granted as per Council Bill 680, dated April 23, 1980."

Which was read.

Also,

Bill No. 1579

A Resolution entitled, "Resolution providing for the issuance of a \$1,542.01 warrant to J. C. Penney Casualty Insurance Company and John Tillar, Sr. and Mildred Tillar in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1580

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, M.D., in the aggregate amount of \$840.00 for professional services rendered for the benefit of the city in con-

nection with physical examinations administered to return to duty School Crossing Guards and applicants."

Which was read.

The Chair:

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1581

A Resolution entitled, "Resolution transferring \$4,500.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 1061-1, Premium Pay, Department of City Treasurer."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none.

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1582

A Resolution entitled, "Resolution amending a portion of Resolution No. 825, approved September 20, 1979, entitled, 'Providing for an Agreement or Agreements with Abraxas Foundation, Brashear Association, Educational Programs, Diocesan School Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

On Bill No. 1502, for some obscure reason, I did not originally catch that one of the items that we are funding in the amended agreement is the University of Pittsburgh Auto Racing Team and if memory serves me well I objected to that last year. I will vote for the bill but I want

that deleted from my point of view otherwise I will abstain on that bill.

May I make a motion that we delete that item from the bill? Does everybody understand that we are giving \$2,000 to the Pittsburgh Auto Racing Team when we have people not eating and not having jobs and some playgrounds, swimming pools that aren't finished.

**Mr. Stone:**

I think you missed the point totally. This is providing for employment with those particular groups, they could be any multiple positions of employment. This is providing employment for them.

**Michelle Madoff:**

The CETA Program Mr. Stone?

**Mr. Stone:**

All of them.

**Michelle Madoff:**

What jobs will they be doing?

**Mr. Stone:**

They could be secretaries, they could be just any kind that they may have. That is what this is funding.

**Michelle Madoff:**

And you don't think that we could be training people in other areas, do you think they might learn some mechanical skills?

**Mr. Stone:**

No, I think what this is intending, well you know, it is just like the Ballet Theater, we are not going to go down there and train any ballet dancers, we are down there giving them some support where they can provide employment or someone who otherwise wouldn't be able to find a position

and get on the job training, that is what all of these are designed to do.

**Michelle Madoff:**

I understand that, but if memory serves me well this came up last year and you had some concern about it at the time and what you are saying now, and I would accept that, is that this is merely to train some people on job training.

**Mr. Stone:**

I have always had concern and that is why these lists have become a more approved list. I'm sick and tired of having fly-by-night organizations or those other organizations on the other side of the spectrum, who know how to make applications, who are always getting it and the worthy causes not getting it.

**Michelle Madoff:**

I withdraw my objection on that bill.

**Mr. Givens:**

Mr. President, on this particular bill, it had come up last year and we asked that the various funding be separated into distinct bills, I remember that very much so, there is Pittsburgh Planned Parenthood, I don't agree with their philosophy and I'm going to vote for them, but now here it is tied in with all the other organizations, some of them very fine. I thought last year we asked that this thing be separated so this Council can vote on each and every one of these, not as a group.

**Michelle Madoff:**

I think Mr. Stone put it in perspective, I was wrong and Mr. Stone, I stand corrected, the issue is providing training and employment and it doesn't really matter whether you support the group or not, is that essentially the issue Mr. Stone?

**Mr. Stone:**

It's a job.

**Michelle Madoff:**

Thank you.

**Mr. Givens:**

I am going to abstain for the reason that Pittsburgh Planned Parenthood is listed and I wish that next year when this bill comes before us it will be broken down so that each one of these will be entitled to their money and each one will be given a separate resolution. I have to abstain, I have no choice, because of Planned Parenthood.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

**ONE ABSTAINING, MR. GIVENS**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Coyne presented**

No. 1675 Report of the Committee on Public Works for September 17, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.



Also, with an affirmative recommendation,

**Bill No. 1556**

A Resolution entitled, "Resolution amending Resolution No. 275, approved April 11, 1980, effective April 18, 1980, entitled, 'A Resolution providing for an Agreement or Agreements with Green International, Inc., for inspection and design services, in connection with Fort Pitt Boulevard Bridge and providing for the payment of the costs thereof.'"

Which was read.

Also,

**Bill No. 1557**

A Resolution entitled, "Resolution granting unto Pittsburgh Plate Glass, Inc., Number 8 Market Place, Pittsburgh, Pennsylvania, its successors and assigns, the right and privilege to construct, maintain and use at its own cost and expense, a concrete vault with elevator and steel doors. To be used as entrance to cellar, located in the east sidewalk of Market Square in the First Ward of the City of Pittsburgh."

Which was read.

Also,

**Bill No. 1558**

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Joseph B. Fay Co. situated at the intersection of Madison Avenue and River Avenue in the 23rd Ward of the City of Pittsburgh."

Which was read.

Also,

**Bill No. 1559**

A Resolution entitled, "Resolution granting unto Bank Center Limited, Suite 301, 307

Fourth Avenue, Pittsburgh, Pennsylvania 15222, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense a Marquee, with illuminated identification and traveling message board, to be erected over an entrance to its building. The Bank Center, 416 Wood Street, Pittsburgh, PA, to project over the easterly sidewalk area, a distance of 11 feet, 3 inches, face of Marquee to have a set back from face of existing curb of 1 foot and have a width of 15 feet with a minimum height of 10 feet, 6 inches above the existing curb line."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 1564**

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article XIII, Trees, Chapter 483, Care and Maintenance, by adding Section 483.06, DAMAGE TO HOMES AND SIDEWALKS."

Which was read.

**Mr. Stone:**

On Bill No. 1564, I think we had better look at this a little bit, since I have been away, maybe somebody can explain what we are attempting to do here.

**Michelle Madoff:**

It's my bill, I'd be happy to explain it.

**Mr. Stone:**

Would you do so please?

**Michelle Madoff:**

Certainly. Do you recall, when you had a problem before I got to Council, on the Southside where somebody had a problem with a water main, the main to the curb? And you justifiably entered a bill, the people should not be liable for that and I agree with you. Now, what has happened, is that the Building Inspection, instead of going and perhaps spending more of their efforts on Fire Code, and we have children burning alive in buildings, etc., etc., have gone out now and are citing people saying, "You have old root trees tearing up your sidewalks and subsequently, if you don't fix it in two weeks, we will fine you \$500." This came to me through Irving Kaplan of Copperweld Steel and through my dressmaker, Mrs. Simmons who is a poor lady who doesn't have that kind of money. She called to say she couldn't get contractors, she got one contractor who charged her something like \$500 and the City gave her a verbal okay by telephone. When it comes time to pay it we only pay a portion and a very small portion in an inflated market. I think when we have \$400,000 set aside for new trees, a portion of that money can be put aside to pay the damages. It has happened to Mr. O'Malley's parents I believe and I think Mr. DePasquale has supported this publicly on a couple of occasions. If it is a City tree and the City is doing damage to the property, we are responsible and I think we ought to pay the indebtedness.

**Mr. Stone:**

Alright, let me just cover a couple of

points if I may. I'm not so sure whether the City is retaining ownership for those trees once they give them.

**Michelle Madoff:**

We checked that Mr. Stone, yes they have, Mr. Givens has checked it thoroughly.

**Mr. Givens:**

I haven't checked it.

**Michelle Madoff:**

I thought you said you checked it.

**Mr. Stone:**

And the City is retaining ownership of the tree?

**Michelle Madoff:**

That's right, as a matter of fact somebody suggested, was it you, I'm not sure, Mr. Givens, that we have a certain amount of money put aside from the \$400,000 to maintain the older trees.

**Mr. Stone:**

Let me interject a couple of questions just to get my point across.

**Mr. Coyne:**

Mr. President, we questioned Director Brown here on Wednesday and she indicated that each new tree that the City places in front of a residence, the resident must sign a waiver accepting full responsibility for what would happen to that tree on accepting that the tree is going to go in front of their house, so everytime a new tree is put in —

**Mr. Stone:**

But heretofore it was not done?

**Mr. Coyne:**

Well, that is the question.

**Michelle Madoff:**

I checked it with the Law Department and I was told that the reason we didn't want to pay it was because it was going to cost the City too much money and my argument being, if we have \$400,000 to pay for new trees, I think we could put — somebody suggested, was it you Councilman Givens? That we put a portion of that money away for replacement both of new trees and the maintenance of the older trees when they do damage to the public property. I think if the harassment of people by saying, "You fix that in two weeks or we'll fine you \$500" is unconscionable.

**Mr. Stone:**

My concern is financial, let me just explain it if I may, first of all, do we have a legal opinion on this particular legislation?

**Michelle Madoff:**

I asked for one, I haven't seen it.

**Mr. Stone:**

I would suggest that we get one, let me explain if I may for a minute. If the City has caused someone some wrong, I think the City ought to be responsible like anyone else, but what I am finding unfortunately, is a bit of contradiction the way we are working it and in each effort, with good intentions going trying to solve a problem, in Bill No. 1572 we are spending another \$200,000 for trees, it has been indicated \$480,000 and I would guess by now we have almost put a million dollars in trees and assuming a tree costs \$10.00 you are dealing with 100,000 trees that are out there potentially creating liability for the City of Pittsburgh and with the kind of legislation we are proposing here, you know, we are not saying that we are only going to pay \$5.00 worth of it, it could be much more depending on what happens to that tree. With where we are, one of the programs has to be put in balance. If we

are going to be subjecting ourselves to a great deal of liability, then we had better start watching how much money we are putting into it. The idea of transferring the tree to the residents. I think even without the so-called disclaimer that originally they were giving the tree to the property owner and only property owners could get those trees not tenants, so it would appear to me that that was not a City tree, but at any rate I think this should be cleared up because I think we are going to get to a situation where just a general phrase is going to cost us an extreme amount of money lost.

Let me just say this so it is not appearing that I am just trying to thwart the passage of this bill. If City owes for some damage to somebody's house, they ought to face up to their responsibility like anyone else, so in kind of a general sense I agree, but I think we ought to control what we are doing, that is the only thing I am saying.

**Michelle Madoff:**

Mr. Stone, I think your point is well taken, however, if you look at the claims and I have been watching them as you know, very carefully for two years, because of the damage — the public, you know the insurer on the City owned vehicles, the refuse trucks and so on. If you will recall, just search your memory, how often do we pay a claim for a tree? Not that often. There aren't that many and when you talk about \$400,000 for new trees, there is a little money that we can put aside for that kind of damage. We are not talking about \$2 million that we are reaching now in underwriting the main to the curb, we are not talking about that kind of dollars and I think your point is well taken and I think Mr. Coyne is going to move to hold it a week and I have no quarrel with that in getting a legal opinion and getting a feeling for what kind of bills are paid, but this did come up again last week because we had attorneys who were hired by some people and they are getting paid alright because they went out and got legal counsel,

but the person who says it is too small I won't go to legal counsel, doesn't know what to do, they get zapped.

**Mr. Stone:**

Well, I think that is the point I am trying to watch. I can just vision a tree falling on the top of a brand new automobile and you are no longer talking \$100. I can visualize a tree falling on some young child and they being hurt and you are no longer talking \$5.

**Michelle Madoff:**

Don't you think we should be responsible Mr. Stone?

**Mr. Stone:**

I think the City presently is responsible for what they do wrong.

**Michelle Madoff:**

Then we are in agreement we ought to pass the bill.

**Mr. Stone:**

No, that is not what I am saying. I am saying at this present time, I question whether we are the owners of the tree number one, and number two, if we are, then we ought to watch like any prudent person to watch that we don't have to throw the money of the citizens of Pittsburgh way by a program that seems good, which is going to technically tax them out of their pants.

**Michelle Madoff:**

You have confused me, are you saying you want a legal opinion as to whether we own the trees or not, is that what you are asking for? And if we do own them are you saying we should be responsible?

**Mr. Stone:**

If we own those trees for which we

are liable I want to control the liability in a prudent way as a responsible individual, as Finance Officer of City Council, so that I don't have to tax the City's residents for any potential danger that could well go into the millions of dollars.

**Mr. Coyne:**

Mr. President, I move to recommit Bill No. 1564 until we have further information.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Could I put a rider on that? I agree with Mr. Coyne that we should hold it, but what is the point of holding it when we asked for a legal opinion and didn't get it? And we asked the question of who owned the trees and we didn't get it. Could we do something to see that perhaps Mr. Al D'Allesandro, who is our liaison with Council, would move in all haste to get us that information. Won't you blue eyes?

**Mr. D'Allesandro:**

Sure.

**Michelle Madoff:**

Thank you.

**Mr. Coyne:**

Even if it is late, he might even write the opinion.

**The Chair:**

The only comment I have to make is apparently we don't get too many of these claims throughout the year, but the other side of the coin may be that not enough people in the City of Pittsburgh know that they have a right to make that claim. They have the damage and they don't bother putting the claim in.

Bill No. 1564 is recommitted.

Also,

Bill No. 1591

A Resolution entitled, "Resolution amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, entitled, 'A Resolution providing for a Contract or Contracts authorizing the resurfacing of Various City Streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurbing and other work incidental thereto, PW 80-02; and providing for the payment of the costs thereof.

Which was read.

Also,

Bill No. 1592

A Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution 849, approved August 19, 1980, as amended by Resolution 850, approved August 19, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget approving the 1980 through 1985 Capital Improvement Program', by increasing a line item."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 1676 Report of the Committee on Planning, Housing and Development for September 17, 1980, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1155

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: RHINE STREET, HASLAGE AVENUE; Block 47 P, Lot 109, in the Allegheny County Block and Lot System; YETTA AVENUE; the easterly boundary line of Block 47 P, Lot 158 in the aforesaid system to a point located on said boundary line a distance of 93.67 feet extending from the northerly right-of-way line of YETTA AVENUE; thence S 87, 24'00" E 57.00 feet; thence N 2, 36' E 14.50 feet; thence S 87, 24'00" E 49.46 feet; thence S 82, 43'00" E 47.08 feet to RHINE STREET, 24th Ward."

Which was read.

Also,

Bill No. 1156

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to St. Ambrose Manor, Inc. for construction of a nine-story high-rise building with 101 dwelling units as a housing facility for the

elderly with parking for 22 cars on property located on the westerly side of RHINE STREET between YETTA AVENUE and HASLAGE AVENUE, 24th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Flaherty:**

I have a few comments on these two bills Mr. President. The reason is because when this issue was presented to Council I was asked to attend a meeting in the Spring Hill area, I believe, as far as I know, that I was the first member of Council that was actually contacted by a group of people in regard to the St. Ambrose High Rise and I attended that meeting and I gave some information and some ideas to this group, they were interested in opposing St. Ambrose High Rise. At that time I told them that I was uncommitted, but a lot of their criticisms seem to have some truth to them and I told them that it was in the process of a public hearing and also that Council would have a public forum in that area that I along with my colleagues would address their criticisms and I feel that the majority of their complaints were adequately answered. They were concerned as to if St. Ambrose was going to make an astronomical profit for someone, which it isn't. They were concerned about how the school was going to be used. They were concerned about inadequate water pressure and traffic congestion and the feasibility of an alternative site and the suitability of that location for senior citizens. I feel that all these points were adequately answered.

They had other complaints as far as the waste, of HUD appropriations, and more importantly, I believe that there is a real trouble as far as personality clashes in the Spring Hill area between certain people. These two issues probably certainly have some validity, but fortunately or unfortunately they are not the concern of this Council.

I am supporting the St. Ambrose High Rise primarily because one of the most frustrating experiences I have had in my short tenure as a member of Council is the overwhelming number of calls I have had from friends and from constituents that are seeking suitable housing for our elderly. I have seen the squalor surroundings that a, what I consider an unfortunately high percentage of our senior citizens have to reside in, in this area. It is a well publicized fact that Allegheny County has the highest percentage of elderly of all counties in the country and it is because of this that I am going to cast an affirmative vote for St. Ambrose.

I also wish to commend the proponents and opponents of this issue, I feel especially that a lot more help probably could have been raised and probably to no avail, but I feel that both sides had good enough sense to realize that.

In closing, and I am sure that you would agree with me Mr. President and my colleagues would also, that if the residents of Spring Hill feel that they are experiencing certain problems as far as the construction of St. Ambrose Manor, I'm sure that we here on Council will be most sympathetic and more importantly, helpful in trying to solve those problems.

Thank you Mr. President.

**Mr. O'Malley:**

I would like to include my remarks, that my opposition and the opposition of the majority of the members of the Spring Hill Civic League on this bill was not an opposition to senior citizens' housing, but rather a protest against a site we considered inadequate and a protest against a system in which most of the work on a project can be done before the community has any input. But let this small protest be a warning to other developers who put time, effort and money into a project before consulting the residents of the surrounding community, that the next time they may lose. But with the consideration of the great need for

senior citizen housing in the Pittsburgh area, I also urge passage of this bill.

**Michelle Madoff:**

And I would like to reserve a room. As long as I can reserve a room.

**The Chair:**

If I can exercise the prerogative of the Chair I would like to say I want to thank all of the Councilmembers for not succumbing to the threats of retribution by the people of Spring Hill, such as, "We'll get you at the polls", and, "We'll get Councilman Coyne in the Congressional Race", and, "We'll get this one", and, "We'll get that one". I wish the public would be made aware that these kind of threats don't get through to Council. The vote was taken here Wednesday and it will be taken today, it is done strictly by conscience and by heart and it is not done because of support from certain groups or threat of lack of support and obviously, most of those people in that area have voted for the people sitting here today and that is those who are for and those who are against. So when you are making a decision of this type you make 50% of the people happy and 50% of the people unhappy but you have to bite the bullet and make those decisions and these are the kind of decisions we are faced with constantly and I would just like to make some people aware that threats will not help their cause. Thank you.

**Mr. Stone:**

Mr. President, if I may, I don't think we should register any objections or any scorn upon anyone who protests at any time, no matter who it be, no matter when or where it be, because I personally believe that there is an old adage that is said many, many times and it is of many years standing, that is when two people agree 100%, then what you have is one useless person. I think that when we tend to get a little bit of protest we tend to look at something a little bit better and maybe that has been part of the process, to maybe even improve the project of St. Ambrose.

I think we have said, but it ought to be here on the official record of City Council, that we are aware that 30% of the citizens of the City of Pittsburgh are elderly. At the same time, those people have lived their entire productive lives within the City of Pittsburgh and they have been paying those burdens such as taxation throughout their entire life and now is the time for the federal program to do some good for them and I think this Section 8 Senior Citizens Program is probably one of the best things that has ever come out of HUD or out of Washington, DC. We looked at this early, City Council did, and attempted to have them set geographically so that it would not be taking care of one area alone, but rather to spread it throughout. The Section 8 Program provides for them only paying 25% of their monthly income toward the rent and the balance of it being subsidized. Who should be the recipients of those kind of benefits other than the people who have carried their load over these many, many years. This is not a charity case, but rather kind of a reward to those who have paid throughout the years. I have heard nowhere in any of the protest any objections to the good standing or the reputable character of St. Ambrose and the plan seems, from what I have been able to see, to be a sound one. I think we ought to get on with building this facility so that the elderly there in Spring Hill have an opportunity to receive the benefits that some of the other elderly in the City of Pittsburgh are receiving.

**Michelle Madoff:**

Mr. President, I think it is time to call for the vote, but I might add that, not to take the time, because we have a lot of other items to discuss, it might be prudent if at some point you explain to Mr. Stone what happened in his absence and what you were alluding to with the picketing outside the door and the threats against Mr. Coyne and others and somebody getting up and saying, "There are 1,200 people in Spring Hill and 1,000 voted with clear implication that they voted against when in fact it was a split vote and I think we can

go into detail at another time, let's call the vote and get on with it.

**Mr. Stone:**

I am aware of that.

**Michelle Madoff:**

I thought perhaps you weren't.

**Mr. Stone:**

No, I am.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Stone:**

That applause sounds good in this Council Chambers.

**The Chair:**

We don't get much applause, do you want to applaud again?

**Michelle Madoff:**

Mr. President, Father Kopecky would like to say a few words.

**Father Kopecky:**

Mr. President and members of this distinguished Council, I know that as a matter of fact, the issue here and the matter before you has cost you a considerable amount of time and effort and mental searching. You are people that have great resources and tremendous charismata and I particularly would like to thank you for a service that you have rendered to a neighborhood, to a very deserving neighborhood. I am not inherently a part of that neighborhood, I am as it were, kind of a visitor there, but I admire those people immensely and I am so pleased and gratified that you saw fit to open the door, so to speak, on the continuance of a project that brings progress and further blessing to an area that well deserves it. Thank you extremely much, every one of you, for your kindness.

**The Chair:**

Thank you for your sentiments Father and thank all of you for coming this afternoon.

**Michelle Madoff presented**

No. 1677 Report of the Committee on Water for September 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1566**

A Resolution entitled, "Resolution further amending Resolution No. 487, approved July 12, 1976, as amended by Resolution No. 785, approved August 17, 1979, as amended by Resolution No. 578, approved June 26, 1980, entitled, 'Approving 1976 Capital Improvement Project; allocating and setting aside amounts in connection therewith; creating trust funds; providing for necessary professional service agreements in connection with said projects; providing for contracts for implementing said projects; and providing for the payment of



the cost thereof, by decreasing the appropriation for WD76-2 and increasing the appropriation for WD-76-5."

Which was read.

Also,

Bill No. 1568

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for professional engineering services in connection with the inspection of the siding failure at the Water Treatment Plant, and other work incidental thereto and providing for the cost thereof."

Which was read.

Also,

Bill No. 1569

A Resolution entitled, "Resolution providing for a contract or contracts for the furnishing and delivery of water meters of various sizes, less trade-ins, for the requirements of the Department of Water, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Coun-

cil being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

No. 1678 Report of the Committee on Parks and Recreation for September 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1571

A Resolution entitled, "Resolution providing for an agreement or agreements for professional services in conjunction with the Phipps Development and Graphics Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1572

A Resolution entitled, "Resolution amending Resolution No. 1292, effective November 24, 1978, entitled, 'Authorizing the letting of a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh in an amount not to exceed \$200,000.00 in the Department of Parks and Recreation', by decreasing the allocation to \$199,967.00."

Which was read.

Also,

Bill No. 1573

A Resolution entitled, "Resolution amending Resolution 1050 effective November 9, 1977, entitled: 'Authorizing the letting of a contract or contracts for a Tree Planting Program at various locations within the City of Pittsburgh, in an amount not to exceed \$200,000.00 in the Department of

Parks and Recreation', by decreasing the allocation to \$199,629.00."

Which was read.

**Michelle Madoff:**

On Bill 1572 and 1573, those are just housekeeping on the \$200,000, just amending the figures to the \$199,000, but on Wednesday the question was asked and the business said could we put some monies aside on the trees, I would very much appreciate if you would pursue the issue that was brought up on reimbursement for the small sidewalk issues you know, where three or four cement blocks come out and the person is asked to put the \$500 up front and threatened if they don't do it in two weeks and taking this into consideration, there is \$400,000 for new trees, maybe we ought to help the people with the old trees first, or part of it. I would appreciate it if you would look into that.

**Mr. Givens:**

Well, I had the same comment but I was directing it to Sophie, it is her chair and she was not here on Wednesday when we had discussed this with Louise Brown, she so indicated that a possibility of some percentage, like ten percent of this money could be put into a trust wherein we have done this same thing when the Bureau of Building Inspection goes in to tear down a particular location now, that community development money that we use for demolition, that we now use a certain amount of that money, set aside, for the restoration of that land. I think the same thing can apply to this particular bill and I would hope that an amendment could come to it later on that would address that subject. I would recommend some ten percent be put into a trust fund.

**The Chair:**

Are you recommending that amendment now?

**Mr. Givens:**

No, there has to be study and dialogue and that this bill could possibly, even though we are passing on it today and I pass on it with the hope that Sophie and the Department of Parks and Recreation will come in with an amendment to this bill sometime within the very near future.

Thank you.

Also,

Bill No. 1574

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of aluminum portable bleachers for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

Also,

Bill No. 1575

A Resolution entitled, "Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$5,491.20 for Project PR 80-21, 4-10-15-000280, Major Repairs and Emergencies, in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills, pass finally?"

The ayes and noes were taken; agreeably to law, and were:

**Ayes:**

**Mr. Coyne**  
**Mr. Flaherty**

**Mr. Givens**  
**Michelle Madoff**

**Mrs. Masloff  
Mr. O'Malley**

**Mr. Stone  
Mr. DePasquale  
(Pres't)**

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley** presented

No. 1679 Report of the Committee on Public Safety for September 17, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1502

A Resolution entitled, "Resolution amending Resolution Number 842 of 1979, approved September 26, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of ten (10) stretchers for the Department of Emergency Medical Services, and for the payment thereof' by increasing the amount from \$3,500.00 to \$4,360.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne                      Mrs. Masloff  
Mr. Flaherty                Mr. O'Malley  
Mr. Givens                   Mr. Stone  
Michelle Madoff            Mr DePasquale  
   (Pres't)**

Ayes 8    Noes none

And a majority of the votes of Council

being in the affirmative, the bill passed finally.

**Mr. Flaherty** presented

No. 1680 Report of the Committee on Lands and Buildings for September 17, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1562

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Auditorium Authority of the City of Pittsburgh and Allegheny County in connection with the removal of architectural barriers to provide handicapped access at the Civic Arena and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne                      Mrs. Masloff  
Mr. Flaherty                Mr. O'Malley  
Mr. Givens                   Mr. Stone  
Michelle Madoff            Mr. DePasquale  
   (Pres't)**

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

## **MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

I have a resolution Mr. President and

also I have a very important item of business that we must take up today which concerns CAP as soon as we are through with the resolution. Mr. Perry.

**The Chair:**

It's Mr. McCray.

**Michelle Madoff:**

I'm sorry, Mr. McCray.

**The Chair:**

Perry is the guy with the crutches.

**Michelle Madoff presented**

No. 949 WHEREAS, many residents of the West End-Elliott area of our City have suffered hardships due to a water break in a City line; and

WHEREAS, their property and some appliances were either damaged or destroyed; and

WHEREAS, it has been seven long months since this damage occurred; and

WHEREAS, a legal precedent now exists through a court decision of September 19, 1980, to award the costs for damages to these individuals,

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the City Law Department to immediately reimburse all individuals who were affected and inconvenienced by this mishap.

Which was read.

**Michelle Madoff:**

Mr. President, before I move on it and have a second I would like to read a statement because I want it as part of the record for future.

On Thursday, September 19, the Court of the Common Pleas Civil Division awarded \$135,000 to Equitable Gas for damages occurring to gas lines from a water line break which occurred February 22, 1979 in the West End-Elliott area of Pittsburgh. At the time of the break water entered private homes through Equitable Gas lines. Residents turned on their stoves, water spurted out of their gas jets resulting in damage to property and appliances.

At a public hearing before Council, citizens of the area banded together and asked for reimbursement to those residents for damages suffered. A list of the claimants and damages was submitted by the West End-Elliott Citizens Council as representatives for the Elliott residents. At that time however, the Law Department of the City determined that the money to pay Elliott claimants was monies held in public trust and could not be used to pay such claims until there was a legal ruling establishing the City's liability. Thus City Council was for more than 9 months.

As you recall, there was some talk at that time of Equitable and of the City forming a joint fund that would pay the people, I think the total amounts to something like \$5,000 and then whoever was responsible would absorb the expenditure.

A suit was previously filed against the City of Pittsburgh by a Stanley Tluczek and a Paul Montague of the Elliott area resulting in their being awarded damages as plaintiffs against the City and if memory serves me well, one was \$700 and one was \$90. However, the City appealed this decision to a jury trial. Equitable filed suit against the City, on Thursday of last week a verdict was issued in favor of Equitable as against the City of Pittsburgh and in favor of the plaintiffs, Stanley Tluczek and Paul Montague. As a result legal precedent now exists for the City to reimburse the citizens of Elliott who sustained damage because of the water break.

I am introducing this resolution to Council so that we expeditiously compen-

sate those residents, many of them who do not have homeowners insurance and have had to absorb these claims. They contacted us as you know Mr. President, a dozen times privately and I think three or four times here in Council. The people who experienced the damage as a result of the February 22 water line break in the Furley Street area of Elliott.

The West End-Elliott Council is willing to compile a list of citizens and to act as the conduit — you have endured the delay in reimbursement and the necessary hardships. But my purpose really is the point of more than getting the money back and that is certainly the primary thing, but in addition to that, the claim against the City is in the amount of \$135,000 for this particular break. Last week we voted \$105,000 in a claim for another water break. I saw the Mayor and said if we have enough breaks maybe we can turn Pittsburgh into a swimming pool. The total of the two breaks alone comes to \$240,000. We have CETA people who could be put on full time, we have CETA people who have been trained to work on water lines, our water lines are old and we don't have the number of engineers that we need. I know for a fact we need 5 #3 Grade Engineers, which is top of the line and the Mayor and Ben Hayllar sort of negotiated I think 2 #1 Engineers and I think that is an example of being pennywise and pound foolish and I think as Councilmembers we have to speak out. And my resolution stands that we reimburse the people rapidly.

**Mr. Stone:**

Michelle if I may — I don't know what the legal opinion —

**Michelle Madoff:**

I have the docket number if you want it.

**Mr. Stone:**

I would have to read it, I haven't read it so I don't know I don't know what their

case was, but if it is the same issue then maybe the liability factor has been determined for them as well.

**Michelle Madoff:**

Sir, they haven't filed.

**Mr. Stone:**

They would have to pay it anyhow.

**Michelle Madoff:**

No, what has happened, let me clarify it, only two or three people got a lawyer who gave his services voluntarily, and they won the award. The City appealed their award. At the same time they also entered into this law suit. Now that the precedent has been set, that indeed the City is responsible and these two or three people have collected, there are still a dozen or two dozen that have not even filed. I mean they don't have an attorney for a \$20, \$50, or \$90 claim and you know Mary Lou Daniels came before us and she has a list of those people, the Elliott people. What I am saying is let's get the files into the City and let's deal with them immediately and without court.

**Mr. Stone:**

Are you saying expedite the resolution of their claim.

**Michelle Madoff:**

Right, thank you, do you want to re-word that.

**Mr. Stone:**

Yes, but you have to watch how you say it.

**Michelle Madoff:**

Would you re-word that, I would be honored if you would change it, if you want to put the correct legalize in so I don't put us in a jam.

**Mr. Stone:**

Maybe change it this way:

The City Law Department to immediately investigate the claims as filed by the West End-Elliott citizens and to resolve the same with dispatch.

**Michelle Madoff:**

Thank you very much, that was much more palatable, but essentially we are saying get on with it.

**Mr. Stone:**

Because the City is liable only for what they are liable for.

**Michelle Madoff:**

Right, we don't want to encourage people who didn't have any damage.

**Mr. Stone:**

Somebody may want to get a washing machine that wasn't in there before.

**Michelle Madoff:**

Nobody would do that would they?

**Mr. Stone:**

You can't tell.

**Michelle Madoff:**

Would somebody like to second that amendment.

**Mr. Givens** seconded the amendment.

Which motion prevailed.

**Michelle Madoff** moved for approval of the resolution be amended.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Last item of business from where I am sitting, I don't know, if Council knows and particularly Mr. Stone, do you deal with CAP at all? Are you involved with the CAP monies at all?

**Mr. Stone:**

No.

**Michelle Madoff:**

It has come to my attention, I'm sure also to most members of Council, that as of the end of this month CAP will no longer have any funding. The issue resolves about the operation and the appointing of a new Board and a new Chairman because there have been some problems in the operation of CAP. I was called and this is heresay but it is something we had better deal with because of time frame. And I think Mr. O'Malley who has had his aide representing him as an alternate, I have Mr. Jonathan Robison as my alternate, it appears that the Mayor wants to appoint his own people and I have a list of people supposedly that he is going to appoint. I also have the actual charter which says that we can have alternates and that you must have first option on elected officials willing to serve. If those names were not submitted to Mr. DePasquale today and he claims he knows nothing about it and did not get the list, we are in a bind. How did they get their money if they haven't re-structured and I don't know how we handle this at this point it is a matter of crucial days, we are talking about days now. What does Council suggest?

**Mr. Coyne:**

Mr. President, I would suggest that you be in touch with the Mayor's Office as President of Council and find out when the Mayor intends to make his appointment.

**The Chair:**

I did that Bill, I thought he was going

to do it the first part of the week, in fact I thought we would have them in here today.

**Michelle Madoff:**

If it isn't today how do we do it?

**The Chair:**

We do have the rest of the month.

**Michelle Madoff:**

Well do you know what the date is today? The 22nd.

**The Chair:**

I understand that, I'm just saying that technically —

**Michelle Madoff:**

Well we are going to get into a battle because my understanding is unless he withdraws, and there is a lot of pressure and there are some threats of some class action suits, that if he appoints Louise Brown and a few other people, former CAP people, and doesn't appoint as the law says, "elected officials", his argument is that some of the elected officials such as myself have not attended all of the meetings, but the law clearly states we can have an alternate.

**The Chair:**

As Mr. Coyne pointed out he did indicate to me he was going to appoint elected officials but if we refuse to serve or couldn't serve he will not accept alternates and then will appoint his own staff.

**Michelle Madoff:**

Mr. President bear with me a moment. It says, very clearly, on 1062.200 of the Chapter, Community Services Administration. Public officials, they can't have an alternate.

**The Chair:**

Michelle, I think to be very fair about it I think —

**Michelle Madoff:**

It says they can't have an alternate.

**The Chair:**

I think the objection, I know the objection is coming from Mr. Kirk the Regional Director, he is as much as saying — he said privately to City Council and he said publicly that he wasn't too happy with some of the people that we sent down there to replace ourselves, or as alternates and he even went so far as to mention them by name and he said he doesn't want to see this happen again. He told the Mayor if this would be the case he will not fund the CAP people, therefore we have no alternative, the Mayor has asked us to serve and if we do serve good, and if we don't serve, then he is going to appoint his own people and will not accept our alternates.

**Michelle Madoff:**

Mr. DePasquale, I served on the Citizens Advisory Council of the State of Pennsylvania for two terms, three years and three years and I only served five total because I dropped out in the last term. I served for seven years on the Air Pollution Advisory Committee to the Allegheny County Air Pollution Bureau. I have always had an alternate. I have always been able to generally attend meetings, but when I can't my alternate is there. My alternate cannot vote, he can vote if I am not there but he cannot vote if I am not there — I mean if I am there he cannot vote, but they generally attend with me so that they know what is going on. The bill clearly states and I will get copies for everybody, that we can have alternates, that is the law, the Mayor cannot re-write the law.

**The Chair:**

The Mayor is not re-writing the law.

**Michelle Madoff:**

He is saying that he doesn't like the alternates it is not his choice.

**The Chair:**

Dr. Kirk is saying that unless it is done otherwise he is not going to fund them. Right or wrong, I find no problem with the alternates, I don't think any members of Council finds a problem with the alternates.

**Mr. Givens:**

May I respond to that by saying that the CSA rules and regulations which is written by the Congress of the United States so indicates in one of their opening paragraphs that no director of CSA, including that of Dr. Kirk and the CSA director from Washington, DC, can alter what Congress has approved, by law. By law it says no director can influence what that public sector will be, indicating that it is a hands-off situation. Dr. Kirk, as far as I'm concerned, if he was quoted accurately in the newspaper, is overstepping his bounds of authority and that is right in the law, that we are governed by in the City of Pittsburgh as well as many other communities throughout this country. He might want it this way, he might feel that there be a more concerted effort on the part of integrating the total community, we are serving the poor communities and I think what he wants is for the public sector to be there, he would like them to be there in first person, but the rules say that you don't have to go by that, in fact, it gives the exception.

**The Chair:**

I don't think anybody on Council is going to dispute that in regards to perhaps Dr. Kirk overstepping his bounds, but it is a matter of fact, that if Dr. Kirk says they don't get the funds they don't get them, now the hidden play is going to have to go on with the government and Dr. Kirk, but that is not going to help the CAP

people and that is not going to help the agencies they fund.

**Mr. Givens:**

No, but I have read the rules and regulations —

**The Chair:**

This could drag on for months and months and months.

**Mr. Givens:**

They are not to be interpreted loosely, I think he is trying to put certain pressures on the governing body of the City of Pittsburgh including the City Council Members, the Controller and the Mayor of the City of Pittsburgh by saying that the Mayor of the City of Pittsburgh will appoint. The Mayor of the City of Pittsburgh cannot appoint, he can appoint his appointee, period. Or he can sit on it himself, either one of the two. It says, "elected officials of a governing body" and even according to our own Home Rule Charter we have three distinct units of government there. We have the Controller, we have the Council and we have the Mayor.

**The Chair:**

Dick I think we appreciate all that —

**Mr. Givens:**

Well it is serious and as Bill Coyne indicated —

**The Chair:**

I think we all have to face the facts that the issue at hand right at the present time is the funding of CAP to see that the agencies continue to do the good job they are doing and regardless of what is right and what is wrong we have to do it in a manner where they will get the funds and the work will continue I mean this can drag on for months. You are probably 100% correct and Michelle is probably 100%



correct, at the same time, that isn't helping the CAP people.

**Michelle Madoff:**

But Mr. DePasquale, while we are all right, we are all really in unity. We are saying — they know themselves that there are some problems, they know they have to re-structure, they know they need some new direction and they are getting it. But I don't think the Mayor has the right to put his own people on an advisory board where he is — its like running the show himself, that is against the law, government is not supposed to do that. It is illegal.

**Mr. Givens:**

It is not an advisory board, it is a board in fact.

**Mr. Stone:**

Mr. President, if I may, you know, we would all be wrong here to pretend we weren't aware of some of the problems of CAP, it has been a problem for some time, and regrettably, up to this point the people who are suffering are those who don't have bank accounts and can't afford all this loss of time, they are the hard core people who really need the money badly. While I am one of those who will obviously fight for my jurisdiction rights, I think we need a little more reason here than we need a pursuit for individual technical rights. I think the suggestion made is a very valid one, I think you ought to meet with the Mayor, if you feel there ought to be a committee from this Council, meet with the Mayor, let's resolve the issue instead of a tug of war at the expense of those people who need it. I think it is time to resolve it and not to enforce rights at the same time letting these people suffer when they don't have any possibility of getting around it.

We have that Terrace Village Mothers up there, they are sadly in need, their budget is already blown before they get to the end of it, they are suffering and I am sure

there are even cases that are more acute than that one and I think we ought to be looking down for some way to resolve it and not constantly and perpetually battle. I'll get to forcing my rights when I need them, but I think at this time it needs a little more reason and a little more cooperation on this particular issue and I think we ought to get down to doing it.

**Michelle Madoff:**

Mr. Stone, the problem arose because Mr. DePasquale was supposed to have the list today and didn't get it. People came in droves today to find out what was going to happen and nothing happened.

**Mr. Stone:**

Yes, but the whole reason for that Michelle, you know there is a tendency here to make this a political football and I don't think we ought to do that.

**Michelle Madoff:**

I don't think that is the issue at all, these people are scared, their money is being shut off, the issues that you raised.

**Mr. Stone:**

Then there is no question of it and the issue has been there for some time and I think it should have been handled before, it is obvious that everybody going in their own direction has not been the right way, so maybe it is about time we all go in the same direction and we have one thing in mind and that is the interest of those recipients of funds that come through CAP and if we exercise those things that are necessary for their best interest then it won't be our best interest and we will resolve the issue.

**Michelle Madoff:**

Your point is well taken, how do you propose to do it? You are saying that Mr. DePasquale contact the Mayor.

**Mr. Stone:**

Mr. DePasquale alone, or a committee meet with the Mayor and let's get out some solution to this problem.

**Michelle Madoff:**

Expeditionusly, because we have a time frame to meet which is the first of the month. September 30th is the last date of funding.

**Mr. Givens:**

I think Bob, if you would put that in

the form of a motion I would like to second it.

**Mr. Stone:**

I so move.

**Michelle Madoff:**

I Isecond the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, September 29, 1980

No. 37

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday, September 29, 1980

#### PRESENT:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
	(Pres't pro tem)

#### ABSENT:

Mr. DePasquale  
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1683 Resolution providing for an

Agreement or Agreements for Engineering Services in connection with the inspection of the Robert McAfee Bridge (PW 80-43).

Also,

No. 1684 Resolution providing for an Agreement or Agreements for Engineering Services in connection with the steel inspection of Greenfield Avenue Bridge; and providing for the payment of the cost thereof.

Also,

No. 1685 Resolution providing for an Agreement or Agreements with Salvucci Associates, Inc., for Inspection and Engineering Services in connection with the Murray Avenue Bridge; and providing for the payment of the cost thereof.

Also,

No. 1686 Resolution providing for an Agreement or Agreements with Acres American, Inc., for Inspection and Demolition of the Bloomfield Bridge (PW 80-17); providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation.

Also,

No. 1687 Resolution providing for an Agreement or Agreements with an Engineering Consultant or Consultants for Professional Engineering Services in conjunction with land slides — various locations; and providing for the payment of the cost thereof.

Also,

No. 1688 Resolution further amending Resolution No. 950, approved October 25, 1979, effective October 30, 1979, as amended by Resolution No. 874, effective October 2, 1979, as amended by Resolution No. 780, effective August 22, 1979 entitled, "Providing for a Contract or Contracts for East Liberty Study Implementation (PW 79-22), and providing for the payment of the costs thereof" by amending the title and increasing the funding.

Also,

No. 1689 Resolution vacating a portion of Bennett Street included between the property line of Lot 231 N 116 and Lot 231 N 114 as extended 25 feet, and the property line of Lot 231 N 114 and Lot 231 N 113 as extended 31 feet, containing approximately 700 square feet; excepting and reserving the 15 inch T.C. and 60 inch brick sewer located therein, in the Thirteenth Ward of the City of Pittsburgh.

Also,

No. 1690 Resolution vacating Pine Street from Fernleaf to its Westerly Terminus, Fernleaf Street from Patterson Way to Dion Way, Patterson Way from Marengo Street to its Westerly Terminus, Seawall Way from Fernleaf Street, Marengo Street, Marengo Street from Patterson Way to Olcott Street, Latrobe Street from Fernleaf Street to Marengo Street, Dion Way from Fernleaf Street to Olcott Street, Schiller Street from Fernleaf Street to Olcott Street, Toronto Way from Vonark Way to Olcott Street, Vonark Way from Schiller Street to Mission Street, Vonark Street from Mission Street to Nebo Street, Olcott Street from Mission Street to North Line of Nebo Street, Idaho Way from Loney Way to Mission Street, Loney Way from 21st Street from the Easterly Line of Quarry Street produced to its Southerly Terminus, Patterson Way from Julia Street to Bellevue Street, Limestone Way from Esop Way to Patterson Way, Bellevue Street from Esop Way to Patterson Way, Julia Street from

Esop Way to its Northerly Terminus, and Asher Street from Quarry Street to Vonark Way in the City of Pittsburgh, 16th and 17th Wards, excepting and reserving the 30 inch waterline in Vonark Street, the 2 inch and 4 inch waterline in Pine Street and the 2 inch and 4 inch waterline in Marengo Street.

Also,

No. 1691 Resolution changing the name of Broket Street from Brighton Road to its westerly terminus in the Twenty Second Ward of the City of Pittsburgh.

Also,

No. 1692 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment for extra work in connection with the Gallupe Drive Sewer Reconstruction Project, Controller's Contract No. 24520.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 1693 Resolution transferring \$7,000.00 from Code Account 53-1, Reserve Fund Debt Service, Stadium Authority of Pittsburgh to Code Account 1360-1, Premium Pay, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

**Michelle Madoff** presented

No. 1694 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 22nd & Merriman Streets, P.O. Box 4282, Pittsburgh, PA 15203, in the amount of \$37,755.00 in payment for the Emergency Installation of a 36" Valve at Madison Avenue and Peralta Street, furnished for the benefit of the City and providing for the payment thereof.

Also,

No. 1695 Resolution providing for the

issuance of a warrant in favor of A/C Pipe, Inc., Wm. H. Clausen Company, Boro & Secane Roads, Primos, PA 19018, in the amount of \$958.29 in payment for repair to an A2 Tapping Machine furnished for the benefit of the City and providing for the payment thereof.

Which were read and referred to the Committee on Finance

Also,

No. 1696 Resolution authorizing the Director of the Department of Water to grant the application of Ametek, Inc./Thermox Instruments Division, RIDC Industrial Park, O'Hara Township, Pittsburgh, PA 15239, for water supply outside the City of Pittsburgh.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1697 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of floor fans for the Department of Parks and Recreation, and for the payment thereof.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1698 Resolution transferring to the Department of Parks and Recreation's Code Account 42-2.

Which was read and referred to the Committee on Finance.

Also,

No. 1699 Resolution transferring to the Department of Parks and Recreation's Code Account 1828-1, Point State Park, Premium Pay, the amount of \$2,000 from Council's Contingent Fund, Code Account 42-2.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 100 Resolution transferring to the Department of Parks and Recreation's Code Account 1800-1, Premium Pay, the amount of \$10,000 from Council's Contingent Fund Code Account 42-2.

Which was read and referred to the Committee on Finance.

Also,

No. 1701 Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony Orchestra for the acoustic and site design of a summer stage at Point State Park; and providing for the payment thereof.

Also,

No. 1702 Resolution providing for an Agreement or Agreements with the Public Auditorium Authority as contracting and disbursing agent for services in connection with an Art Program at the Convention Center and providing for the payment of the cost thereof.

Also,

No. 1703 Resolution providing for an Agreement or Agreements for architectural engineering or other professional services in connection with the design of the Southside Skating Rink Roof and providing for the payment of the cost thereof.

Also,

No. 1704 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with various facilities including Schenley Park Skating Rink and Frick Park Nature Center and providing for the payment of the cost thereof.

Also,

No. 1705 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Universal Gym Conditioning Equipment for the Department of Parks and Recreation and for the payment thereof.

Also,

No. 1706 Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget by creating a new Capital Project (PR 80-34), Southside Skating Rink Roof Design, 4-10-01-1335-80, in the Department of Parks and Recreation and appropriating the necessary funds.

Also,

No. 1707 Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget, by creating a new Capital Project (PR 80-33), Point State Park, Pittsburgh Symphony Orchestra Summer Stage Development, 4-10-01-1330-80, in the Department of Parks and Recreation, and appropriating the necessary funds.

Also,

No. 1708 Resolution providing for a

Lease or Leases and/or License Agreements for the use of certain property for Senior Citizens facilities in an amount not to exceed \$68,500.

Also,

No. 1709 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$15,000.00 for extra work in connection with general construction contract for Schenley Park Oval Development.

Also,

No. 1710 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$4,850.00 for extra work for construction of concrete paving and structures at various locations listed therein, Controller's Contract No. 24509.

Which were severally read and referred to the Committee on Finance.

Mr. O'Malley presented

No. 1711 Resolution transferring the sum of \$35,000 from Code Account No. 1423, Equipment, Emergency Medical Services, as follows: \$30,000 to Code Account 1420-1, Premium Pay, Emergency Medical Services, \$5,000 to Code Account 1421, Miscellaneous Services, Emergency Medical Services.

Which was read and referred to the Committee on Finance.

Also,

No. 1712 Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for the provision by the Department of Emergency Medical Services of Paramedics at certain student athletic events; providing for reimbursement to the City of the cost thereof; and creating a special trust fund in connection therewith.

Also,

No. 1713 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of rotating fingerprint files for the Police Department, and for the payment thereof.

Also,

No. 1714 Resolution providing for accepting a grant from The Sears-Roebuck Foundation in the amount of Two Thousand Four Hundred Sixteen Dollars (\$2,416.00) for operation of "Officer Friendly Program" to be conducted by the Community Relations Section of the Department of Police; providing for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson** presented

No. 1715 Resolution amending Resolution No. 466, effective June 3, 1980, "authorizing an Agreement with the Saint Vincent DePaul Society for the renovation of a facility located at 2005 Wyandotte Street", so as to include the Director of the Department of City Planning as an authorizing agent in the Agreement and include the Project Number.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 1716 An Ordinance amending the

Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 9 by changing from "C1" Neighborhood Retail District to "AP" Planned Commercial-Residential Unit Development District all that certain property bounded by: BROOKLINE BOULEVARD; and "S" Special District boundary line located east of BREINING STREET; CLIPPERT WAY; and BREINING STREET 19th Ward.

Also,

No. 1717 Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to National Church Residence of Brookline, Inc., for authority to construct a basement and nine-story building to contain housing for the elderly with 101 dwelling units and retail space in the lower level with parking for 30 automobiles on certain property located on the southeast corner of Brookline Boulevard and Breining Street, 19th Ward.

Which were read and referred to the Committee on Planning, Housing and Development.

Also,

No. 1718 Resolution providing for the issuance of a warrant in favor of GAF Corporation in the amount of \$399.62 for the repair of the Ozalid Machine in the Pittsburgh City Planning Department without previous authority of law.

Also,

No. 1719 Resolution temporarily transferring the sum of Seventy Five Thousand Dollars (\$75,000) from Unrestricted Cash, Urban Redevelopment Authority to Unrestricted Cash, Department of City Planning.

Also,

No. 1720 Resolution transferring Fifteen Hundred Dollars (\$1,500.00) from Code Account 42-2, City Council, to Code

Account 1838, Parks and Recreation, and authorizing an agreement with Youth City of Pittsburgh, Inc.

Which were read and referred to the Committee on Finance.

Also,

No. 1721 Resolution amending Resolution No. 674 of July 7, 1980 providing for an Agreement with the Bloomfield-Garfield Local Development Corporation for a marketing survey and study to be subcontracted to Marketing Investigations, Inc.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 1722 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504 and 635 of 1980, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program", so as to decrease line item HD-80-19, "Site Acquisition and Preparation for Assisted Housing" from \$650,000 to \$630,000; and further, to create a new line item, HD80-20 "North Side Tenants Counseling Project" (\$20,000); and further to change the title of Water Department line item WD-80-12 "Distribution System Modernization Study" to "Professional Engineering Consulting Services in Connection

with Community Development and Other Projects".

Also,

No. 1723 Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Stanley Construction Company in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Thirteenth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program.

Also,

No. 1724 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Stanley Construction Company for the sale of Parcel 5 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 34.

Also,

No. 1725 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Messrs. Young, Smith, Imbimbo and Toal to attend National Community Development Training Conference, Pittsburgh, Pa., October 1-2, 1980, at cost not to exceed \$160.00, payable from Community Development Block Grant Program, Department of City Planning, Administration, Code Account CDPA.

Also,

No. 1726 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Mary Lou Daniel to attend National Association of Neighborhoods National Meeting, Milwaukee, Wis., October 17-19, 1980, at a cost not to exceed \$500.00, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration, CD-HD (HD-79-08) 4-15-10-0013-79-08-79-15.

Also,

No. 1727 Communication from Ed-



ward deLuca, Director, Department of City Development, requesting permission for Director deLuca to attend Pennsylvania Council for Urban Economic Development Meeting, Harrisburg, PA, September 29-30, 1980, at a cost not to exceed \$225.00 payable from Economic Development Planning Program Trust Fund, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 128 Resolution transferring \$1,-165,000 from Code Account No. 42-2, Contingency Fund, to the following accounts: 44, Workmen's Compensation Fund, \$600,-000; 45, Health Insurance, Municipal Employees, \$325,000; 57-1, Retirement Severance Pay, Sick Leave, \$200,000; 44-1, Unemployment Compensation Fund, \$40,000.

Also,

No. 1729 Resolution authorizing the Treasurer of the City of Pittsburgh to Pittsburgh to commence the process of negotiation concerning the issuance and sale by the City of the City's General Obligation Capital Notes, 1981 Series A, in the aggregate principal amount of \$9,000,000 and the purchase thereof by underwriter/s, for the purpose of financing a portion of the cost of the acquisition and construction of the City of Pittsburgh's 1980 Capital Improvements Program, including, if necessary, the partial refunding of the City's Bond Anticipation Note, 1980 Series A, paying the cost of issuing the notes, appointing professionals and establishing the useful life of the projects.

Also,

No. 1730 Resolution determining and authorizing the advertisement for a public sale of \$37,000,000, aggregate principal amount, General Obligation Bonds of 1981, Series, A, for the purpose of financing a portion of the cost of the acquisition and

construction of the City of Pittsburgh's 1981 Capital Improvements Program, including the refunding, in whole or in part, of the City's Bond Anticipation Note, 1980 Series A, paying the costs of issuing the bonds, appointing professionals, establishing the useful life of the projects, authorizing other necessary or convenient actions, and repealing inconsistent legislation.

Also,

No. 1731 Communication from Ronald C. Schmeiser, City Treasurer, submitting a report of the deposits and market value of collateral security pledged by City Depositories to secure same as of August 31, 1980.

Also,

No. 1732 Communication from Charles W. Strong, Executive Director, Public Auditorium Authority of Pittsburgh and Allegheny County, submitting Audited Report for the fiscal year ending June 30, 1980.

Which were severally read and referred to the Committee on Finance.

**The Chair:**

Before we go into Reports of Committees, Mr. Givens has a resolution he would like to present.

**Mr. Givens** presented

No. 975 WHEREAS, on September 20, 1980, in downtown Pittsburgh, Mr. David Antico and Mr. Marvin Brown each rescued victims of attempted rape in separate incidents occurring only minutes apart; and

WHEREAS, these brave men, gallantly overcoming apathy and non-involvement, life and limb in the pursuit of justice; and

WHEREAS, this City is proud to honor citizens like David Antico and Marvin

Brown who help to maintain this City's sense of justice and morality.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and honor Mr. David Antico and Mr. Marvin Brown for their gallant display of fortitude and courage in successfully rescuing attempted rape victims.

BE IT FURTHER RESOLVED, that this City expresses sincere gratitude to these brave men for helping to maintain this City's high sense of justice and morality.

Which was read.

Mr. Givens moved for adoption.

Michelle Madoff seconded the motion.

Which motion prevailed.

The Chair:

Will David Antico and Marvin Brown come forward please.

Mr. Givens:

Gentlemen, congratulations. I would like also to recognize their families and friends in the audience here today, would you please stand.

I think it is apparent and our statistics within the City of Pittsburgh will indicate that rapes have been going up within the City and the fact that these incidents happened five minutes apart or so, in downtown Pittsburgh on Grant and Fifth Avenues at 8:30 in the morning and these were the only two gentlemen that actually did risk their lives not knowing if that individual had a knife or a weapon or a gun within his possession and what would happen to their physical being in trying to overcome this man, it was actually right in the City streets. We hear of so many cases

throughout our country today wherein people do not risk their own life and in this case you are actually doing that. The apathy is out there, so when this happens in downtown Pittsburgh I hope it catches on, you will be honored throughout not only the City of Pittsburgh but throughout the country for your brave deed because in fact, it was a brave and unselfish deed.

Michelle Madoff:

Gentlemen may I ask you a question? Do you work in the downtown area? Well, I have a parking space under Robert Morris College and I went there at 5:30 on a Friday night and there wasn't a soul in sight, no one for fifteen blocks. Would you clear with your wives and friends that if I need someone to walk me to my car I may call on one of you?

Mr. Givens:

Thank you very much gentlemen and on your behalf and with the Seal of the City of Pittsburgh, we give these gold seal copies of this resolution to you to hang on your wall proudly at home.

#### REPORTS OF COMMITTEES

Mr. Robinson for Mr. Stone presented

No. 1733 Report of the Committee on Finance for September 24, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1504

A Resolution entitled, "Resolution transferring \$26,000 from CA 55, Policemen Relief and Pension Fund to the Housing Department, Bureau of Building Inspection as follows: Code Account 1376, Miscellaneous Services, \$19,000, Code Account 1378, Equipment, \$7,000." AS AMENDED IN COMMITTEE.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

**Ayes 8    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 1593**

A Resolution entitled, "Resolution authorizing the reduction of the retained percentage from 10% to 1% on the "B" Program, Rehabilitation of Various Streets, Park Roads, with Asphaltic Concrete or other materials including: Regrading, etc., Sewer Construction, Water Lines, Appurtenances, Trumbull Corporation, E.D.A. Project No. 01-51-24016 Controller's No. 23104-F."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. Givens</b>
<b>Mr. Flaherty</b>	<b>Michelle Madoff</b>

**Mrs. Masloff**  
**Mr. O'Malley**

**Mr. Robinson**  
**Mr. Stone**  
**(Pres't pro tem)**

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 1614**

A Resolution entitled, "Resolution providing for the issuance of warrants in favor of the Police Officers listed below, in the amount of \$15,618.88, in payment for travel and meals incurred while in training; and providing for the payment thereof."

Which was read.

Also,

**Bill No. 1615**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,218.00, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1625

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission for a grant in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 1626

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Ronald Coleman for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
(Pres't pro tem)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1636

A Resolution entitled, "Resolution amending Resolution No. 87 approved February 22, 1980, effective February 28, 1980, entitled, 'Providing for the issuance of a warrant in favor of Boquet Construction Company in the amount of Six Thousand One Hundred and Twenty Three (\$6,123.00) Dollars in payment for Extra Work furnished for the benefit of the City in connection with the sidewalk construction, various locations, and other work incidental thereto (Community Development), and providing for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
(Pres't pro tem)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 1734 Report of the Committee on Public Works for September 24 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1594

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Burt Pipe Supply Co. #1 situated at the intersection of Chateau Street and Ridge Avenue in the 21st Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1595

A Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Green Real Estate, situated at the northwest intersection of Western Avenue and Fulton Street in the 21st Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
	(Pres't pro tem)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 1735 Report of the Committee on Planning, Housing and Development for September 24, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1285

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from "R3" Multiple-Family Residence District to "RP" Planned Residential Unit Development District all that certain property bounded by: HERRON AVENUE; HANCOCK STREET; FLEETWOOD WAY and Block 26 J, Lot Numbered 37 in the Allegheny County Block and Lot System, 6th Ward."

Which was read.

Also,

Bill No. 1286

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Immaculate Heart of Mary, Inc., for authority to construct a nine-story building to contain housing for the elderly with 70 dwelling units and parking for 14 automobiles on certain property located on the northerly side of HERRON AVENUE at the intersection of HANCOCK STREET, identified as Block 26 J, Lots Numbered 38 and 44 in the Allegheny County Block and Lot System, 6th Ward."

Which was read.

Also,

Bill No. 1616

A Resolution entitled, "Resolution repealing Resolution No. 442, approved May 22, 1980, effective May 27, 1980, entitled, 'Providing for a Supplemental Agreement or Agreements with the Port Authority of Allegheny County for the Model Neighborhood Reduced Fare Bus Loop Project decreasing the amount provided thereof from \$296,791.97 to \$262,643.00.'"

Which was read.

Also,

Bill No. 1617

A Resolution entitled, "Resolution amending Resolution No. 528, effective May 24, 1978, entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Model Neighborhood Reduced Fare Bus Loop Project for the period from May 1, 1978 through April 30, 1979, in an amount not to exceed \$270,000', so as to decrease the amount provided thereof to \$235,851.03."

Which was read.

Also,

Bill No. 1618

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the implementation of a program entitled: 'Communities Combatting Crime', in various Community Development Block Grant Neighborhood Revitaliation Areas within the City of Pittsburgh."

Which was read.

Also,

Bill No. 1619

A Resolution entitled, "Resolution amend-

ing Resolution No. 462, effective June 3, 1980, authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for utilization of administrative funds allocated to the following programs: URA Property Management (URA-79-01); NDP Administration (URA-79-07); and Section 312 HILP Administration (URA-79-10) so as to add a program called the 'Historic Preservation, Loans, Grants, and Incentives' (CP-79-09), Project #4-35-05-3075-79-55-79-35, to the Cooperation Agreement.

Which was read.

Also,

Bill No. 1620

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Walter H. Drane Company for the providing of professional services to the Board of Code Review in connection with the preparation of new building regulations for the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
	(Pres't pro tem)

**Ayes 8    Noes none**

And a majority of the votes of Coun-

cil being in the affirmative, the bills passed finally.

**Mr. Givens** presented

No. 1736 Report of the Committee on Supplies for September 24, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1611

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive equipment (fuel monitoring system, fueling facilities, alignment machines, etc.) for the Department of Supplies, and for the payment thereof."

Which was read.

Also,

Bill No. 1612

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an abraser machine for the Bureau of Tests, Department of Supplies and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	(Pres't pro tem)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff** presented

No. 1737 Report of the Committee on Water for September 24, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1567

A Resolution entitled, "Resolution amending Resolution No. 1229, approved December 29, 1971, as amended by Resolution No. 694, approved July 7, 1980, the 1980 Capital Budget, by providing for an additional appropriation of \$42,155.00 for Project WD-80-07, 4-05-25-0001-80, Purchase and Installation of Valves by Contract at Various Locations, Department of Water."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	(Pres't pro tem)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1613

A Resolution entitled, "Resolution amending Resolution No. 1038 approved December 31, 1976, amended by Resolution No. 82 approved February 15, 1977, amended by Resolution No. 387 approved May 5, 1977, amended by Resolution No. 531 approved June 10, 1977, amended by Resolution No. 801 approved August 17, 1977 amended by Resolution No. 1018 and 1019, approved October 24, 1977, amended by Resolution No. 1334 approved December 30, 1977, amended by Resolution No. 726 approved June 30, 1978, amended by Resolution No. 1422 approved December 19, 1978, amended by Resolution No. 562, approved June 21, 1979, amended by Resolution No. 1104 approved December 5, 1979 entitled: 'Resolution adopting the 1977 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds by changing the title of line item WD-77-1.'"

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

On Bill No. 1613 last week Mr. Givens raised a very pertinent issue with reference to the Brashear cover, the reservoir cover, and I understand Mr. Cosentino's problem about switching over and trying it on another source. As you know, he told us he was going to talk to the people in the neighborhood and see if he could do what some of our police liaison, neighborhood liaison people do to convince the people not to swim in the pool. I think in the next budget we are going to have to make some provision for having some kind of protection during the summer months, even if we have just somebody there that they know will report back, maybe —

**The Chair:**

That is an easy one to follow because

I think there is a law now that says you have to do it.

**Michelle Madoff:**

The last Safe Drinking Water Act bill that I read did not have it as law, if you are one ahead of me, I appreciate that, I'd like to have a copy of it.

**The Chair:**

It came up in one of our discussions, I think we have to do it.

**Michelle Madoff:**

I have not seen that, but I think this was brought up several times, I think you brought it up once and the Mayor has not deemed that it is a vital issue.

Now, the thing I am concerned about is in this morning's news, they were doing a report on drinking water across the country and Allegheny County in the State of Pennsylvania I think is the second highest potentially and is chemically, source of pollution in ground drinking water. We are not even talking about the river water, with toxic chemicals and toxic waste. Lord knows what happens on the Mon, you don't drown, you dissolve, our water fortunately comes from the Allegheny which is purer but not that much purer. We are fortunate that we get a warning upstream.

The thing I am concerned about this cover is the danger of ecoli in the water from people swimming in it and contaminations of viruses and viruses from birds. I think we must look towards ultimately covering them all, perhaps in a less expensive way, but during the summer at Brashear which is a major problem, they have been known to take the gates off, throw the gates right into the water. We have to figure that into the budget so I call that to your attention as Chairman of the Finance Committee.

**Mr. Givens:**

On Bill No. 1613 I am voting no and



I would like my remarks from Wednesday's session included in the minutes.

MR. GIVENS' REMARKS ON  
BILL NO. 1613 FROM  
THE MEETING OF  
WEDNESDAY, SEPTEMBER 24, 1980:

Mr. Givens:

I do not agree with this. The people in this particular neighborhood have been asking for this cover for that exclusive reason, the fact that they are throwing this stuff into the reservoir and some things not very pleasant to discuss at this particular table, health alone, urinating into the reservoir. As a result, I will not take this particular money for the Brashear Reservoir and transfer it to the other. If you want additional money to do a test program in a smaller reservoir, I would be more than happy to sit down and work that out. I think these people in this particular neighborhood have been asking for this since I have been on Council. The Mayor shot it down once or twice, and Council overrode the Mayor in bringing this to the Capital Budget. For us to have to take this money away from them because they have a problem, that is the reason.

END OF MR. GIVENS' REMARKS ON  
BILL NO. 1613.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
	(Pres't pro tem)

Ayes 6      Noes 1

Mr. Givens voting no.

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Flaherty presented

No. 1738 Report of the Committee on Lands and Buildings for September 24, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1599

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of two (2) anchors, together with a wire overhang on City property fronting on Saw Mill Run Boulevard, 18th Ward."

Which was read.

Also,

Bill No. 1600

Resolution repealing Item (H) of Resolution No. 1024, approved 11-21-79, authorizing sale of vacant lot on Earlham Street, 28th Ward, (40-F-9) to Robert and Annette Marshall. Hand money of \$100.00 to be returned to purchasers.

Which was read.

Also,

Bill No. 1601

Resolution amending Item (B) of Resolution No. 673, approved 7/25/80 for sale of property on Ligonier Street, 6th Ward, being a vacant lot (49-N-150) to Anthony and Mary Ann Ceoffe for the sum of \$250.00. Amendment is to correct spelling of name of former owner from Stroka to Sroka.

Which was read.

Also,

Bill No. 1602

Resolution amending Item (C) of Resolution No. 565, approved 6-25-80, for the sale of lot and 2½ story frame house in the 15th Ward on Gladstone Street to Bradley R. Lanese for the sum of \$2,000.00. Amendment is to lower the price of property from \$2,000.00 to \$750.00.

Which was read.

Also,

Bill No. 1603

Resolution amending Item (D) of Resolution No. 673, approved 7-25-80 for the sale of property (lot) Belasco Avenue, 19th Ward, to Jerome and Myra Travis, for the sum of \$300.00. Amendment is to correct T.D.B.V. Page from 338 to 388.

Which was read.

Also,

Bill No. 1604

Resolution amending Item (E) of Resolution No. 289, approved 4/18/80 for the sale of vacant land on Ludlow Street, 15th Ward, Block 55-S, Lots 169, 170, to Joseph Mastriano, for the sum of \$800.00. Amendment is to include the name of Thomas F. Easton, co-purchaser.

Which was read.

Also,

Bill No. 1605

Resolution amending Item (F) of Resolution No. 701, approved 7/29/80, for the sale of lot on Morrison and Cora Streets, 25th Ward, (22-D-60) to James S. Wallace for the sum of \$500.00. Amendment is to correct former owner's name from Alberta Grace Buck to Albert and Grace Buck.

Which was read.

Also,

Bill No. 1606

Resolution amending Item (F) of Resolution No. 673, approved 7-25-80, for the sale of Lot on Evergreen Road, 26th Ward, (163-K-45) to Ralph V. Fuehr, for the sum of \$600.00. Amendment is to correct Plan Lot description.

Which was read.

Also,

Bill No. 1607

Resolution amending Item (G) of Resolution No. 701, approved 7-29-80, for the sale of vacant land, a 2½ story house and garage on various streets in the 25th Ward to Oliver E. Kaufmann, (Etal) for the sum of \$5,150.00. Amendment is to correct DBV Page and acquisition date.

Which was read.

Also,

Bill No. 1608

Resolution amending Item (I) of Resolution No. 867, approved 8/25/80 for the sale of Tri-lot on Arlington Avenue, 18th Ward (14-G-31) to William and Roberta Smith, for the sum of \$1,200.00. Amendment is to correct size of lot from 11 x 80 x 70 to 111 x 80 x 70.

Which was read.

Also,

Bill No. 1609

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 1610

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone

(Pres't pro tem)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I have two very important items I would like to bring before Council. As you know, some time ago, this Council, I believe unanimously passed the burglar alarm bill and I believe it is a 90 day or a 60 day — could you help me, is that 60 or 90 days before it becomes legal? Does anybody know, once we pass it here? Because people need time to apply for their permits, etc., and people have houses and businesses and of course the purpose was to get some police available and out on the street so they can cover these rapes. We have something like 7% of our police force tied up in false burglar alarms, and I would like a status report on what is happening

and I would appreciate having a Post Agenda from whoever is in charge, I presume that would be Superintendent Coll because I understand that is the first court of appeal, you appeal to him if you have any complaints and I want to know what permits are being given, what is happening, I would like to request a Post Agenda on it.

The second item — in the newspapers recently, there was a very detailed article put out by I believe Mr. Lurcott of City Planning, and as you know or you may recall, about four, five or six months ago, Mr. Givens held a hearing here in Council with reference to what impact was going to take place in the downtown area and I had a guest editorial letter in the Post Gazette which I thought was on an upbeat, it was obvious Mr. Givens had requested a breakdown, and I don't know if he ever got it, of what the plans were of what was happening in the city and what action was going to be taken that would have the least impact.

My letter essentially said, "isn't it wonderful we are having all this, but let's plan ahead not to have unnecessary congestion." The letter to the media, and I guess it was a press release from Mr. Lurcott, detailed the problems we are having with traffic and talked about people utilizing the parking lots such as the Stadium when they are not in use and I had suggested perhaps we use the synagogues and the churches in the Oakland area and various other South Hills communities and so on.

It occurred to me that it might be a viable alternative to have an arrangement once the strike is over, with Yellow Cab or People's Cab where they have these mini-buses which they use to drive students on a permanent basis where people could go to Oakland, park their cars, make arrangements with the houses of worship and other buildings such as the malls, that are not being used on a continuous basis, where people could park and ride, say five people to a cab or maybe twenty people, for two

dollars a day, much cheaper than parking in town, because they are taking the new building down and correct me, is it 1,500 more spaces that are going and I don't think we can wait here as members of Council and say, "Well, gee, we knew it was going to happen" and we have done nothing. I think it is important that we either meet with the Administration or a formal letter and I think my resolution will read that a formal letter be sent to the Mayor and Planning requesting that they look into meeting — and I have already called People's Cab and they are amenable to the concept that we work out some kind of a permanent ongoing jitney service and there are a lot of jitney people looking for work. Either a mini-bus or something.

**The Chair:**

Jitney service is illegal.

**Michelle Madoff:**

No longer, there is one that has just been legalized isn't there?

**The Chair:**

No, he is no longer a jitney driver, he is a legitimate operator.

**Michelle Madoff:**

You are correct sir, I am using the wrong legal terminology, but I think you all understand the concept, I am saying some mechanism worked out legally whereby people could go into Oakland and could park, I would be happy to do that if necessary and I think all of us would cooperate. I am sure you could locate places on the Southside that are not used during working hours, I'll work in the Squirrel Hill, Oakland area, Bill, I'm sure you could help in that, you could work in the Lawrenceville area, all of us could take on areas in the community and find places.

**Mr. Givens:**

No, no, no, I represent the whole City.

**Michelle Madoff:**

Fine, but I think we can all go out and look for spots in the whole City, if you want to take on that job, Mr. Stone and I give you that.

**Mr. Givens:**

No, no, don't get me into that one.

**Michelle Madoff:**

I would like to make that in the form of a resolution that we really pursue this rapidly, I don't know when that building — Bill, when is that building coming down? It is almost immediately a parking lot isn't it?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

I would like to make that in the form of a resolution that we move immediately to have some kind of service where people can park and have service into the City.

**The Chair:**

There are various agencies working on that, SPRPC has a van pool program in which they will provide a way that you can have a van so long as you can get people to fill it up, they will even help you to find people for that project.

**Michelle Madoff:**

Mr. Stone, my friend, Ann Cardinal, was in charge of SPRPC in organizing that program, that is not what I am talking about. I am talking about the Mayor saying, "We will make it easy, we will publish it in the paper, these sites will be available, cabs will be available, or whatever legal means will be available at certain hours, sign up right at the spot, or whatever, we will work people in", and you know and I know if we want to do it, something can

be done. Because SPRPC never solved that problem.

**Mr. Givens:**

Mr. Stone, I have some information I feel should be expressed here at this Council meeting from Rege Young in regard to the Bloomfield-Garfield Corporation, I won't read the whole letter, but in fact, it says that they are going to go through with the agreement and legislation was introduced this afternoon.

**The Chair:**

I received a letter addressed to the Bloomfield-Garfield Association, a letter of commitment that that consultant will be hired.

**Mr. Givens:**

That is the same letter that I have received and you know I wonder why, when the Administration said no and then they said yes, you know, we can do it, I mean the people were saying they wanted it and it was legal under the — they even indicated that it wasn't legal under HUD, but yet, in showing me the document they did, there are other documents to give exactly this type of money to people in the neighborhood so they can go through with it. It is one that has to be scrutinized very very much but the contract is between the two parties.

Secondly, there is a second point that came out of that particular Post Agenda item and I would like Eddie Albert, if he would, address himself to that and that is regarding how many lots have been cleaned up within the City. Eddie doesn't have that so I would ask the Chief Clerk if he would, to direct a letter to Bob Lurcott asking, in this particular Code Account, what he will give us, how many lots have actually been attended to in the City of Pittsburgh and to what degree and I would like a copy of that to go to the Bloomfield-Garfield Corporation also.

Eddie, if you could explain the amounts of monies that we have received from that line item on maintenance and — property maintenance and what was the other line item there?

**Mr. Stone:**

Are you talking about the Capital Budget item?

**Mr. Givens:**

Yes, the Capital Budget, 1980.

**Mr. Albert:**

As you know during the budget deliberations for the 1980 Capital Budget which were held around the tail end of 1979, there was a line item under City Planning's Capital Budget, CD money, worded, "Property Management and Maintenance Program", and after the budget hearings, Councilman Stone recommended and Council approved that we include the wording, "including Bloomfield-Garfield area". Now, allocated to that particular project was One Million Two Hundred and Ten Thousand Dollars, of which one quarter of a million was money left over from a line item of last year.

**Michelle Madoff:**

It wasn't all for Bloomfield.

**Mr. Albert:**

No, there was \$60,000 in new bond funds, there was \$200,000 in CD allocations and there was \$700,000 from the Department of Community Affairs, giving us that total of \$1,210,000. But what I was telling Councilman Givens, I don't think that anybody should be misled into believing that \$200,000 were actually allocated to the Bloomfield-Garfield area.

**Michelle Madoff:**

How much was?

**The Chair:**

No set figure was set, we included it in there to find out what their need was, they originally asked for \$200,000.

**Michelle Madoff:**

But we wouldn't restrict them to the \$10,000 would we, necessarily?

**Mr. Givens:**

Where the problem I think lies, this particular neighborhood for example, gave a laundry list of some 300 properties that were so identified as being City property, they didn't give it by priority, they did have a list of 1 through 300 or so, but only 13 of these lots have been addressed to within this one particular community and knowing that that money was to cover I think six neighborhoods if I am not mistaken, Eddie, five or six major neighborhoods. I would like a report from the Director as to how many neighborhoods were touched in this particular program.

The draw down, I think you said, Eddie, \$700,000 has been encumbered so far?

**Mr. Albert:**

So far, \$610,000.

**Mr. Givens:**

Can we run that down, how much as actually been spent? And maybe when we talk to the Director on this letter Bill, we might indicate, they used a lot of CETA people, or just summer hired, to clean lots up in this particular area, so we are going to have to get a more definitive breakdown on these particular monies and that what the City used for their summer hiring. Get a report from URA then Bill.

**The Chair:**

If I may, Mr. McCray, I would like to have on October the 8th, that is a week

from this Wednesday, the Director of Public Works, the utility inspectors, Equitable Gas officials, relative to the Southside of the City of Pittsburgh, I am at a loss to understand how Equitable Gas stays in business taking as damn long as it does for them to do a project, they have now torn up over a mile of the Southside residential area, they start in one area, then start in another area without completing what they have done, they don't have signs which permit lighting at night so that people can move safely about and we in the City of Pittsburgh can't do that ourselves I am at a loss to understand how Equitable Gas in the City of Pittsburgh has gotten some special license which frees them from liability or responsibility to the citizens. I am at a loss to understand how they can leave sidewalks in front of businesses open where people are constantly coming through, it doesn't make sense. I am extremely appalled at a recent example that I heard in which someone asked and called Equitable Gas to find out whether they were going to go through their sidewalk so that they could now have a new sidewalk installed and they indicated to him under no circumstances can we go into your sidewalk, it will purely be the street, you go ahead, the man spent some \$800 on a brand new sidewalk and within one week of the time that he put in the sidewalk, they have now ripped it up. I think this is bordering on idiocy aside from stupidity and I think we ought to bring them in here and resolve it on October 10th once and for all.

**Michelle Madoff:**

Mr. Stone, if you think that is frightening, you were not here I believe, the day we had the hearing on the Allegheny Steam Heat when the Allegheny Conference, the Equitable people were here and Equitable Gas was saying they had enough gas available to heat the whole downtown area, tried to get everybody pushing to get every building downtown, the 315 buildings to convert to gas, without realizing we have the problem of curtailments and there are bills pending in Washington now to raise the price of natural gas to the price of #2

oil, etc., etc. Can you picture — they don't have the high pressure lines and they are ready to go — can you picture then, downtown Pittsburgh if they are doing it to you on the Southside?

The question I wanted to ask earlier was, CAP — weren't we supposed to get a list today because the funds are being shut off, to make it legal to have the CAP Board operating? That is really serious, because I understand —

**The Chair:**

Do you have the report Bill?

**Mr. Coyne:**

Yes.

**Mr. Givens:**

Did the President of Council ever submit to the Mayor a list of names?

**The Chair:**

We asked the President of Council to meet with the Mayor because we thought this was an issue that should stay out of politics and he was trying to resolve it. I do not have a report, do you have it?

**Mr. McCray:**

He did meet with the Mayor, I gave you a copy and every other Councilman a copy of the letter —

**The Chair:**

That was before he met.

**Michelle Madoff:**

Yes, but we want now who he has appointed.

**The Chair:**

That letter that you are talking about that came from the Mayor I think came

before the meeting between President DePasquale and the Mayor.

**Mr. McCray:**

That is not what he told me, he told me that Council suggested that he meet with the Mayor or a Committee meet with the Mayor to iron this out. He said I already met with the Mayor and he gave me this report, I made a copy and gave one to each member of Council.

**The Chair:**

I think our dates are incorrect, I think that came before the meeting frankly.

**Michelle Madoff:**

You are right.

**The Chair:**

Okay, wait it is not going to help for all of us to be shouting and expressing their knowledge on this subject since nobody has a total comprehension on this at this moment, see if you can get us a report by Wednesday, okay?

**Michelle Madoff:**

The point I was going to make is that Mr. DePasquale stated that he had already met with the Mayor and that was the Mayor's view and that's when the letter came and then we again said, go back and get the names so there was to be a second meeting with the Mayor.

**Mr. Givens:**

I would like that the Chief Clerk submit my name and anyone else who wants to put their name into the Mayor of the City of Pittsburgh, okay? That should have been here today, Bill, for us to act upon. First of October is their shut off date, although Dr. Kirk so indicated that he felt there was positive movement on the part of Council and that of the Mayor to get the public sector seated within CAP, I wonder-

ed if some of the Councilmembers might have had some questions on Dr. Kirk's wisdom, but my name, I want to have sent over and if you would so do that I would appreciate it, and any of the other individual Councilmembers --

**Michelle Madoff:**

And mine, and mine.

**Mr. Givens:**

I think that would be a way of resolving it very quickly Bill and we might think of, Mr. President, not adjourning this particular meeting today because those funds possibly could be cut off October 1st if they wanted to do so.

**The Chair:**

If that is your pleasure, we can recess this meeting for one purpose only and that is for the CAP Board report and we will have such a motion after I have completed.

**Mr. Givens** moved to approve the minutes of Monday, September 8, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mrs. Masloff** moved to excuse Mr. DePasquale for absence from this meeting.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**The Chair:**

May I have a motion to recess this meeting and the only subject to come up on Wednesday is the matter of the CAP Board, do I have a motion to that effect?

**Mr. Flaherty:**

So moved.

**Mr. Givens** seconded the motion.

Which motion prevailed.

and Council recessed.

Pittsburgh, Pa.

Wednesday, October 1, 1980

And the hour of 10:00 o'clock, A.M., having arrived and the time of recess having expired, Council reconvened and there were present:

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
	<b>(Pres't pro tem)</b>

ABSENT:

**Mr. DePasquale**

**The Chair:**

Members of Council, we have a recessed meeting and perhaps we ought to take this first, if I may. If you don't have any objections, we will do it right from the table.

At our Monday meeting, we had recessed it for one subject only and that was to pick up the CAP Board report.

Relative to the matter of the CAP Board, we have received letters of correspondence from the Mayor in which he, as I can see it, has appointed each member of Council to the CAP Board. I guess we should all feel honored to be so annointed, but I believe it should be clearly understood that Councilmembers themselves, without any appointment or intent by the Mayor, have the right to serve on the CAP Board without it. In short, what is being done, and while I expressed last Monday, a desire that this matter not be embroiled in politics because the parties who are to be affected here don't have the luxury of a bank account and don't need a little bit of play and ridiculousness that I can forsee at this particular point.



It would appear to me that if a Councilmember intends to serve, he would indicate his desire. For the Mayor then to nominate just Councilmen and then at that point give the impression that he's appointing, rather than Council having its own jurisdiction. In my personal opinion, this borders on ridiculousness and I hope that he didn't write the letter rather than to do what he has done in this instance. Nevertheless, what has been done is that every Councilperson is being nominated to serve on the Community Action Board for a term of five years.

Again, let me say that under the law as is written, Council has a right of its own choice to be on the board.

**Michelle Madoff:**

Did the Mayor submit the list?

**The Chair:**

We have already reconvened the meeting and the Mayor has submitted a list and that list contains nominees namely, City Council persons.

I just indicated that the Mayor need not self-appoint Members of City Council. They have that right under the law as written to serve themselves and that we have nothing more but an exchange again of a little bit of foolishness which I don't think is necessary in this case. At any rate, I offer this for you Members of Council for your disposition. He has appointed all of the Councilmembers and as far as I am

personally concerned, I will stay by the position that he need not appoint me. I have that right without his appointment and I will not jeopardize that right of serving without nomination by the Mayor.

**Michelle Madoff:**

One other point. As you will recall, I had a legal document from the regulation that says legally we have the right to appoint an alternate and he cannot stop us. I have designated an alternate.

**The Chair:**

May I make a suggestion? If I have not indicated I would like to say that I am displeased with what happened. As I indicated last Monday, I think this issue ought to be resolved. Councilman DePasquale is out of town and I'm not aware what the result of that meeting is. Therefore, I would suggest, if I may, as to what I think, we adjourn this meeting and pick this matter up on Monday and if the President is out of town between now and Monday, then I will take two parties with myself to see the Mayor and see if we can't amicably resolve it without any additional problems. This thing has been sent back and forth like a tennis ball for in excess of five years and that should have expired some time, a long time ago. That is the suggestion I have, if there are no other questions, let us adjourn.

And on motion of **Mr. Coyne**,

Council adjourned.

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, October 6, 1980

No. 38

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't. City Clerk

Pittsburgh, Pa.

Monday, October 6, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1740 Resolution amending Resolution No. 80, approved February 15, 1980,

effective February 22, 1980, entitled, "Providing for a Contract/s authorizing resurfacing of various City Streets and Park Roads with bituminous materials incidental thereto, PW 80-02; and providing for payment, increasing the project allocation by \$825,000.00.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 1741 Resolution providing for issuance of warrant for \$1,685.85 in favor of Preferred Municipal Funding Corporation by Wallace Act, chargeable to Code Account No. 1172, for Supplies and Materials, Department of Environmental Services.

Which was read.

Also,

No. 1742 Resolution transferring \$1,000 from Code Account 1633, Materials to Code Account 1631, Miscellaneous Services, both accounts within the Painting Division, Department of Public Works.

Which were read and referred to the Committee on Public Works.

Also,

No. 1743 Resolution further amending Resolution No. 1229, approved December 29, 1979, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 thru 1985 Capital Improvement Program" by increasing and re-defining funding sources and adding new project line items.

Also,

No. 1744 Resolution further amending Resolution No. 473, approved 6/3/77, effective 6/8/77, as amended, entitled, "Providing for the letting of a contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof."

Also,

No. 1745 Resolution amending Resolution No. 835, approved August 19, 1980, effective August 25, 1980, entitled, "Providing for a contract/s for the furnishing and installation of a chain link fence on the south sidewalk and approach of the E. H. Swindell Bridge over East Street, and for the payment of the cost thereof", by increasing the total allocation to \$7,100.00.

Also,

No. 1746 Resolution providing for the letting of a contract/s for furnishing and delivery of a self contained rock drill/breaker for the Department of Public Works, the cost of which is not to exceed \$2,500.00, chargeable to and payable from Code Account No. 1635, Equipment, Department of Public Works.

Also,

No. 1747 Resolution vacating streets in the 32nd Ward of the City of Pittsburgh excepting and reserving the sewer lines in Brookdale Street, Clippert Way, Oakridge

Street, Don Way, Daleview Street, Greyfox Way, Palmtown Street, Buck Way, Cortina Street and Georgette Way.

Also,

No. 1748 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting reimbursement for travel expenses in connection with attendance by Ralph Stofko and John Weres, who attended meeting in Harrisburg, PA, to obtain final approval of plans and contract documents for Wood Street Bridge reconstruction, September 18, 1980, at a total cost of \$319.25, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 1749 Communication from James Norman Walker, Director, Department of Environmental Services, requesting permission for Phyllis Gibson to attend Pennsylvania Vector Association Joint Entomological Meeting, Pittsburgh, PA, October 23-24, 1980, at a cost not to exceed \$50.00, payable from Rodent Control Program Fund.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1750 Resolution providing for the issuance of a warrant in favor of Thomas DiDiano Construction, Inc., in the amount of \$19,251.54 in payment for extra work performed in connection with construction of Sheraden Library chargeable to and payable from Capital Project CDLB 80-05 (4-25-10-1975-80-38-80-25) Sheraden Library/Community Building, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was intro-

duced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1751 Resolution providing for the issuance of a warrant to E. H. Griffith Inc., in the amount of \$817.41 and Miller Safety Products in the amount of \$538.00 in payment for supplies and equipment purchased in connection with the Summer Lot Clean Up Project chargeable to and payable from Maintenance of City Lots Trust Fund, Department of Lands and Buildings.

Also,

No. 1752 Resolution transferring \$8,000.00 from Code Account 42-2, Contingent Fund to Code Account 1366, Salaries and Wages, Regular Employees, Department of Lands and Buildings.

Which were read and referred to the Committee on Finance.

Also,

No. 1753 Resolution amending Item (K) of Resolution No. 346, approved 4/19/79, authorizing the sale of vacant land (32nd Ward) on Bernard Street designated as Block 139-D, Lots 82 through 87. Amendment is to delete Lot 139-D-82 and to reduce price of sale from \$2,060.00 to \$1,700.00.

Also,

No. 1754 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947.

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 1755 Resolution providing for the issuance of a warrant in favor of General Tire Service in the amount of \$20,514.49 for the emergency purchase of tires furnished to the City Garage without previous authority of law, chargeable to and payable from Code Account No. 1149, Tires, Tubes and Chains, Bureau of Automotive Equipment, Department of Supplies.

Also,

No. 1756 Resolution providing for the issuance of a warrant in favor of Pak-Mor Manufacturing Company in the amount of \$2,064.49 for the emergency purchase of refuse truck repair parts furnished to the City Garage without previous authority of law, chargeable to and payable from Code Account No. 1148, Automotive Parts, Department of Supplies.

Also,

No. 1757 Resolution providing for the issuance of a warrant in favor of Presbyterian-University Hospital in the amount of \$2,876.87 for the emergency purchase of drugs furnished to Emergency Medical Services without previous authority of law, chargeable to and payable from Code Account No. 1422, Supplies and Materials, Emergency Medical Services.

Also,

No. 1758 Resolution providing for the issuance of a warrant in favor of Oxygen Emergency Supply Co., in the amount of \$10,949.50 for medical oxygen cylinders purchased by Emergency Medical Services without previous authority of law, chargeable to and payable from Code Account No. 1422, Supplies and Materials, Department of Emergency Medical Services.

Also,

No. 1759 Resolution transferring the sum of \$60,000.00 from Code Account No. 1141, Salaries and Wages, Department of

Supplies to Code Account Number 1126-1, Premium Pay, Department of Supplies.

Which were severally read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 1760 Resolution providing for the letting of a contract/ for the furnishing and delivery of Automotive Equipment, the cost of which is not to exceed \$185,000.00 chargeable to and payable from Code Account No. 1154, Motorized Equipment, Department of Supplies.

Also,

No. 1761 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting interim approval of purchases by the Department of Supplies of tires needed by the City of Pittsburgh from such suppliers as may be available to provide such needs until such time as the 1981 Federal Contract is in effect.

Which were read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Michelle Madoff presented

No. 1762 Resolution providing for the issuance of a warrant in favor of Linsley Enterprises, Inc., Parkway West, Pittsburgh, PA 15205, in the amount of \$291.55 for repairs to a Bobcat Back-Hoe Loader, chargeable to and payable from Code Account No. 1705, Repairs.

Also,

No. 1763 Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., 1900 Mary Street, Pittsburgh, PA 15203, in the amount of \$330.00 in payment of the Installation of Pintle Hooks on Two Department of Water Trucks, chargeable to and payable from Code Account No. 1705, Repairs, Department of Water.

Also,

No. 1764 Resolution transferring \$40,000.00 from Code Account 1792, Contingency Fund, Unexpended Salaries to Code Account 1700-1, Premium Pay.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1765 Resolution providing for an Agreement or Agreements with a consultant or consultants for professional services in connection with the inspection and repair of the two 72" Allegheny River Crossing Water Lines, at a cost not to exceed \$25,000.00, chargeable to and payable from 1976 C.B. WD-76-4 (4-05-30-1210-76), Department of Water.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1766 Resolution authorizing issuance of a warrant in favor of H. C. Harrington Company, Inc., in the amount of \$5,491.20 in payment for work performed

at Schenley Park Swimming Pool furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1767 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$14,163.50 in payment for work performed at Broadhead-Fording Tennis Courts, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1768 Resolution further amending Resolution No. 1350 of 1978, the 1978 Capital Budget, as amended by Resolution No. 597 of 1978, by providing for an additional appropriation of \$5,660.82 for Project PR 78-05, 4-10-01-1255-78, Golf Clubhouse, in the Department of Parks and Recreation.

Also,

No. 1769 Resolution amending Resolution No. 969 effective September 29, 1980 entitled: "Amending Resolution No. 1229 of 1979, the 1980 Capital Budget by providing for an additional appropriation of \$5,491.20 for Project PR 80-21, 4-10-15-0002-80, Major Repairs and Emergencies, in the Department of Parks and Recreation", by increasing the additional appropriation from \$5,491.20 to \$70,491.20.

Also,

No. 1770 Resolution providing for an Agreement/s for architectural, engineering, or other professional services in connection with the design of Tennis Courts at Oliver High School and providing for the payment of the cost thereof not to exceed \$6,000.00.

Also,

No. 1771 Resolution providing for a

contract/s or the use of existing contracts for repairs at various locations including Schenley Park Skating Rink, Larimer Park, and East Liberty Park, and for lighting at various recreation facilities not exceeding \$65,000.00.

Also,

No. 1772 Resolution repealing Resolution No. 932, approved September 19, 1980, entitled: "Providing for a contract/s for the removal of dead and diseased trees in public rights-of-way and parks and providing for the payment of the cost thereof", cost not to exceed an amount of \$5,000.00.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley Presented

No. 1773 Communication from Glenn Cannon, Director, Department of Emergency Medical Services, requesting permission to attend Fire Safety and Disaster Preparedness Task Force of the Urban Consortium Meeting, Dallas, Texas, November 5-8, 1980, at a cost not to exceed \$600.00 payable from Code Account 1421, EMS, Miscellaneous Services.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 1774 Resolution approving a Conditional Use under Section 993.01(a)A(10) of the Pittsburgh Code, Title Nine, Zoning, to Reformed Presbyterian Woman's Association for expansion of the Presbyterian Home located on the southwest corner of Perrysville Avenue and Burgess Street, 26th Ward.

Also,

No. 1775 Communication from Robert Lurcott, Director, Department of City Planning requesting permission to attend American Planning Association Conference,

Cincinnati, Ohio, October 26-28, 1980, at a cost not to exceed \$500.00, payable from Code Account 1103, Miscellaneous Services.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 1776 Resolution amending Resolution No. 160, approved March 14, 1980, entitled: "Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00, per annum.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 1777 Resolution providing for the issuance of a \$1,603.95 warrant to Carl and Therese DiFiore in settlement of claim for damage to a 1976 Pontiac Sedan by a Bureau of Refuse vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1778 Resolution providing for the issuance of a \$1,581.10 warrant to Aldona A. Rajewski, c/o Howard Gilfillan, Esquire, in settlement of claim for property damage due to a water main break, charging same to Code Account No. 46, Judgments.

Also,

No. 1779 Resolution authorizing the issuance of a \$782.44 warrant to Carol Gehring in settlement of claim for damage to her 1978 Chevrolet struck by a Bureau

of Refuse vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1780 Resolution providing for the issuance of a \$912.18 warrant to Nationwide Insurance and Edward Jurczyk in settlement for vehicle damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1781 Resolution providing for the transfer of funds in the amount of Four Thousand Dollars (\$4,000.00) from Code Account 1024.2 Constables Warrant Fund to Code Account 022.1, Premium Pay, Municipal Courts.

Also,

No. 1782 Resolution transferring \$110,000.00 from Code Account No. 49, Reserve Fund, Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 41, Refunds, Real Estate Taxes, Department of City Treasurer.

Also,

No. 1783 Communication from Mead J. Mulvihill, Jr., City Solicitor, requesting permission for Alan J. Bouffard, to attend a seminar on Municipal Borrowing entitled, A Program for Municipal and School Solicitors, Pittsburgh, PA, October 21, 1980, at a cost not to exceed \$65.00, payable from Code Account 1075, Miscellaneous Services.

Also,

No. 1784 Communication from John H. McAllister, Manager, City Information Systems, requesting permission for Henry Goliat to attend Honeywell System Software Course, October 27-31, 1980, McLean, VA, at a cost not to exceed \$542.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.



Also,

No. 1785 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for Henry Goliat to attend Honeywell System Software Implementation Course, November 4-6, 1980, McLean, VA, at a cost not to exceed \$362.00, payable from Code Account No. 1043 Miscellaneous Services, City Information Systems.

Also,

No. 1786 Communication from Alan S. Penkower, Chief Magistrate, requesting permission to attend Drug and Alcohol Special Session, Reno, Nevada, October 12-17, 1980, at a cost not to exceed \$300.00, payable from Code Account 1023, Miscellaneous Services, Pittsburgh Magistrate's Court.

Also,

No. 1787 Communication from Charles W. Strong, Executive Director, Public Auditorium Authority of Pittsburgh and Allegheny County submitting the names positions and salaries of all persons employed by the Authority as of September 25, 1980.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1788 Report of the Committee on Finance for October 1, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1637

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Bethlehem Wire and Fence Co., in the

amount of One Thousand Eight Hundred and Thirty Six Dollars and Eighteen Cents (\$1,836.18), in payment for the purchase of a chain link fence to be installed by City Forces on the Centre Avenue Bridge Project, for the benefit of the City, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1638

A Resolution entitled, "Resolution transferring One Thousand Six Hundred (\$1,600.00) Dollars from Code Account 1534, Equipment to Code Account 1530, Miscellaneous Services, both accounts within the Bureau of Engineering, Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally."

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1651

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 22nd and Merriman Streets, P.O. Box 4282, Pittsburgh, PA 15203, in the amount of \$4,400.00 in payment for the Installation of a 20" Valve at Penn Avenue and Winebiddle Street furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1653

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Westinghouse Electric Corporation in the amount of \$360.42 in payment for emergency repairs of the electric walk at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1663

A Resolution entitled, "Resolution provid-

ing for the issuance of a warrant to Arvid Stitely and Sharon Stitely, c/o David Ainsfan, Esquire of Rosenberg, Kirshner & Kaleugher, 1000 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$1,000.00 in full settlement of a claim for personal property damage, and providing for the payment thereof.

Which was read.

Also,

Bill No. 1664

A Resolution entitled, "Resolution providing for the issuance of a warrant to Julia B. Ryan, c/o Stephen J. Harris, Esquire, Litman, Litman, Harris & Specter, 1701 Grant Building, Pittsburgh, PA 15219, in the amount of \$1,250.00 in full settlement of a claim for personal injury and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1665

A Resolution entitled, "Resolution transfer-

ring the sum of \$2,500.00, between code accounts within the Department of City Controller."

Which was read.

Also,

Bill No. 1666

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the Controller to countersign a warrant in favor of the Pennsylvania Commission on Crime and Delinquency in the total amount of \$5,938.00 representing unused funds in various projects."

Which was read.

Also,

Bill No. 1667

A Resolution entitled, "Resolution transferring \$170,000.00 from Code Account No. 531, Reserve Fund, Debt Service, Stadium Authority, Department of City Treasurer to Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer."

Which was read.

Also,

Bill No. 1668

A Resolution entitled, "Resolution transferring the aggregate sum of \$21,000.00 within Code Accounts of or administered by the Department of Law."

Which was read.

Also,

Bill No. 1670

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Lana M. Byer for stenographic reporting services in connection with public hearing

or hearings and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1699

A Resolution entitled, Resolution transferring to the Department of Parks and Recreation's Code Account 18281, Point State Park, Premium Pay, the amount of \$2,000.00 from Reserve Fund Debt Service Stadium Authority of Pittsburgh, Code Account No. 53-1." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally

**Mr. Coyne presented**

No. 1789. Report of the Committee on Public Works for October 1, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1639

A Resolution entitled, "Resolution further

amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement program' by redefining funding sources."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 1790 Report of the Committee on Planning, Housing and Development for October 1, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 50

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two,

Fiscal, Article IX, Property Taxes, by adding Chapter 266, EXEMPTIONS FOR INDUSTRIAL AND COMMERCIAL IMPROVEMENTS AND CONSTRUCTION by providing for temporary exemption from taxation during improvements to deteriorated industrial and commercial property, including construction, in certain deteriorated areas pursuant to Act 76 of 1977; and establishing terms, conditions, and procedures for such exemptions."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, I would like to make a motion to remove 266.05-5, Sections A and B.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, I would like to offer some amendments which I believe I had mentioned to Council before but I do not believe we took action on them last Wednesday. These are some technical changes to Council Bill 50, these technical changes had been forwarded to Council on two occasions, one occasion was September 23, 1980.

The first technical amendment deals with Section 266.03 A, and if I might, I will read that:

The exemption from taxes shall be limited to a period of three years. The following is the portion that is to be added: No exemption granted under this ordinance for any improvement or construction shall continue past the third tax year following the year after the issuance of the initial building permit. That is the first amendment.

**Mr. Stone** seconded the motion.

**Michelle Madoff:**

Excuse me, before we vote, can I have a clarification? Mr. Robinson, do you mean three years from April 1, or from the time they apply for their permit.

**Mr. Robinson:**

No, three years from the permit.

**Michelle Madoff:**

So if they applied today it would be three years from today.

**Mr. Robinson:**

Yes.

**Mrs. Masloff:**

Also, can you after three years — can you ask for another year?

**Mr. Robinson:**

It is my understanding that you only get one exemption with a five year period.

**Michelle Madoff:**

Can I have another clarification? Somebody told me today, a member of Council, an aide of a member of Council, that the first year is automatically exempt, that is land preparation, they have three years after the land preparation, is that correct or incorrect?

**Mr. Robinson:**

It is my understanding that it is three years from the time you take out the permit.

**Michelle Madoff:**

That was my understanding but I was told there is a year land preparation which really makes it four years, is that incorrect.

**Mr. Robinson:**

Not that I understand.

**Michelle;Madoff:**

That is not my understanding either, I was floored and I thought maybe I didn't understand.

**Mr. Robinson:**

It is strictly three years.

**Mrs. Masloff:**

Well Bill, in the Act that is in the legislature, up to 10 years, doesn't apply to us at all?

**Mr. Robinson:**

It only applies to the extent that the City of Pittsburgh is authorized by the State of offer abatements up to ten years for 100%. Both Mr. deLuca and Mr. Lurcott indicated that they felt that three years at 100% was a good way for us to start because they did not want to put the City in any kind of financial jeopardy, so they felt that three years at 100% was as far as we could afford to go at this time.

**Mrs. Masloff:**

Then you can get an extension if you wanted to?

**Mr. Robinson:**

We could at the time that this legislation terminates. It is my understanding that we could then offer, for example, five years, ten years, seven years, but a maximum of 10 years, a maximum of 100%, that was my understanding.

**Michelle Madoff:**

Point of clarification, are you saying, let's use an example, that if U. S. Steel, who sent us the telegram today, applied for a permit when they are ready, which prob-

ably won't be for about a month or so, because they haven't even cleaned their lot off — and they are now ready, so they apply for the permit say two months from now, lets use the arbitrary figure, January 1, that they would have three years from January 1. But even if we, at the end of the three years, we proposed five or seven years, they are not eligible, is that right, because they have already had their deal.

**Mr. Robinson:**

The life of this particular piece of legislation is five years. During that five years, anyone who is granted abatement will get a three year or 100% —

**Michelle Madoff:**

But they can't get more than three years?

**Mr. Robinson:**

They cannot get more than three years.

**Michelle Madoff:**

That is what I wanted clarification on.

**Mr. Robinson:**

If someone came in the last day that an abatement could be granted, they would get three years from that date even though the legislation itself would be terminated, they still would be eligible for their three years. But five years is the life of the legislation.

**Michelle Madoff:**

No, that is not my question Bill.

**Mr. Robinson:**

That is a point of clarification.

**Michelle Madoff:**

No, but I want you to clarify something else just to be perfectly sure. U. S.

Steel comes in, January 1, we give them three years, somewhere down the pike, because I have dealt with them for 10 years, somebody manufacturing a part of the building, some kind of special steel or some kind of special equipment, not even locally, has a strike somewhere else, they are held up for 18 months, they can't finish the building, their three years has run out, they say, "We really didn't get three years, can we have another three years"—

**Mr. Robinson:**

No.

**Michelle Madoff:**

That is what I wanted clarification on.

**The Chair:**

That is the question I was going to ask, similar to what Michelle asked, in regards to the permit from the time you take the permit out to the completion of a building, if it takes longer than three years because of a strike or for whatever reason, we are saying, they will only get three years.

**Mr. Robinson:**

Only three years.

**The Chair:**

After that three year period they start paying the taxes.

**Mr. Stone:**

Right now they get nothing.

**The Chair:**

I understand that.

**Michelle Madoff:**

Right now we are getting nothing in most instances, there is nothing on the site, or we are just getting land tax and we will

make up that tax rapidly. May I make a motion Mr. President?

**The Chair:**

What happens if you have a strike, such as Michelle mentioned, or bad weather or what have you? There is no allowance for that?

**Mr. Robinson:**

No, I don't think, I think that one of the difficulties in putting this legislation together was attempting to strike some sort of happy medium. I think there are probably a number of circumstances that are really beyond the control of government to directly affect strikes being won. I for one, have advocated that we have a longer period of time for the abatement, but both Mr. deLuca and Mr. Lurcott and I think other representatives of the Administration, felt that three years at 100% was all they wanted to propose because they felt they had done adequate research and that research indicated that this three years at 100% certainly would be additional incentive. I would assume they took into consideration some of the points that have been raised —

**Michelle Madoff:**

I wouldn't assume anything.

**Mr. Robinson:**

...but I don't think there is any way in the world that we could offer any kind of abatement unless we start getting around 7 to 10 years, that would indeed cover some of the eventualities that you are speaking to.

As you know, during the hearings, several members of Council did advocate that we extend that period of time, and I did request from Mr. Lurcott and Mr. deLuca any suggested changes and they did not make any suggestions round the length of the abatement itself.

**Michelle Madoff:**

Mr. President, it is my turn I believe.

**Mr. Givens:**

I have discussion on that, the language, I looked at the language in 266.04, Conditions under B where it says that the property will commence in the tax year immediately following the year in which the building permit is issued or in that year in which an assessment evaluation attributed to the improvement of a new construction has been certified by the Board, whichever shall occur first.

Now, Bill, in your amendment, what are you actually saying there, is the three years going to begin according to that Section B under Conditions or are we saying one and the same thing. I'm a little bit confused right now myself.

**Mr. Robinson:**

I think that one thing that has to be taken into consideration is the Administrative matters in this bill. I did request from Mr. Schmeiser some sort of outline of how Administratively this bill would be enacted. I think that due to the fact that we have some relationship with some of the other taxing bodies that have to be worked out that are going to start the year after, the idea here is to make sure that whoever gets the exemption gets a full three years. We are talking about less than a third of the time that the State Legislature says we can give it to them, which does put some restraints on us, or that the maximum is ten years and we are only offering three, we are giving them less than one third of what we are authorized to give them and it puts some serious pressures on but I think this legislation is an attempt to make sure they get the three years.

**Michelle Madoff:**

I'm not clear, I don't know what the question or the answer is, are you saying that the answer to my question was, and it

says here, "exemption from taxation on eligible amount of assessed valuation attributed to the improvement or construction of industry or commercial, will commence in the tax year immediately following", does that in essence give them an extra year, is that what they meant?

**Mr. Stone:**

That is in the event that you have less than a year.

**Mr. Givens:**

Less than a year what, before the clock starts running? The way I was —

**Michelle Madoff:**

I thought that meant four years.

**Mr. Givens:**

Right I felt it was, when you get the building permit and —

**Michelle Madoff:**

Then you have a year.

**Mr. Givens:**

Well, I think it is January of that year, January of the next year.

**Mr. Robinson:**

The other portion of that condition says, "or in that year in which an assessed evaluation contributed to that improvement, or new construction has been certified by the board, whichever shall occur first", it is possible that the Board could certify, let's say the next day, after you got your building permit. I think they are trying to cover a number of eventualities here.

**Michelle Madoff:**

They have given them an extra year here —

**Mr. Robinson:**

No.

**Michelle Madoff:**

Yes it is.

**Mr. Robinson:**

I don't perceive that, no.

**Michelle Madoff:**

"It will commence in the tax year immediately following the year in which the assessed..." You have given them four years.

**Mr. Robinson:**

No, no, you have to read the second part of that sentence, the second part.

**Mr. Givens:**

"Whichever occurs first".

**Michelle Madoff:**

Okay.

**The Chair:**

Well how long, usually, after a permit, does construction start?

**Mr. Robinson:**

I don't know.

**Michelle Madoff:**

The day after if it is in the case of Oxford.

**The Chair:**

If it is okay, but I am thinking, if there is a delay, then obviously you are really not getting three years.



**Mr. Stone:**

He's got some more amendments, let him finish.

**Michelle Madoff:**

I have an amendment.

**The Chair:**

We have to act on his amendments first, and then we will take yours.

**Michelle Madoff:**

Okay, why doesn't Mr. Robinson finish with his amendments first and then I will go on.

Which motion prevailed.

**Mr. Robinson:**

The next amendment is to Section 266.04 B, it reads:

Exemption from taxation on the eligible amount of assessed evaluation contributable to the improvement or construction of industrial commercial property in deteriorated areas will commence upon — and perhaps this answers the question before — upon completion of the improvement of construction which shall be deemed to occur in the tax year immediately following that year in which the initial building permit is issued or in that year in which an assessment value contributable to that improvement or new construction, has been certified by the Board, whichever shall occur first.

**Michelle Madoff:**

Question — I want to use an example, because if I use an example I understand it more clearly. My first involvement over this weekend, and I spent probably forty hours this weekend on this whole subject — I got a call from the Builders Association, they bought the — is it the Edlis Building Mr. DePasquale?

**The Chair:**

Yes.

**Michelle Madoff:**

On the Boulevard of the Allies and it is just a shell, I have been in it, it is gutted, I mean there is just nothing there. They thought, because of the news reporting, that they were not even eligible because the building wasn't, say it wouldn't come to a million dollars. I thought that they misunderstood and checked with the Law Department and indeed they are eligible, right? They don't have to spend over a million in order to be eligible for the taxes. Does this say that they get an extra year to prepare or this is just part of the same ball of wax, they only get three years period. From the day they applied for the permit.

**Mr. Robinson:**

It is my understanding that it is a three year period.

**Michelle Madoff:**

So if they applied, say, two days ago, or a week ago, or a month ago for a permit. Supposing they applied before April 1st to renovate, they would not be eligible then?

**Mr. Robinson:**

It is my understanding they would not be eligible.

**Michelle Madoff:**

Geez. Okay, I wanted to clarify that one then.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

On Section 266.05 Procedures for Obtaining Exemption — to speed up the pro-

cess — where it reads, "apply to a Board," it should read, "apply to the City".

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

On 266.05 A, "submitted by the Treasurer to the Board" — "by the Treasurer" should be included here.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Will we make any other amendments before we vote on the final bill?

**Mr. Robinson:**

No, that is all.

**Michelle Madoff:**

May I make an amendment Mr. President?

**The Chair:**

You certainly can.

**Michelle Madoff:**

Mr. President, we all got telegrams from one of the companys and frankly I have no great bleeding heart and it is not my intention to have a give away for big industry, I don't think that they need a tag day, although we must all admit that we are in the same thing together, if there are no industries we don't have jobs. My concerns are the same concerns that I have had originally and I have discussed them with you earlier today. Early today there was a consensus — when I say consensus, not that there was a majority, but there was a feeling amongst a number of Councilmembers that the three years should be extended to five years and the reason being,

a. if there is any difficulty in delays because of economic reasons, reasons caused by a recession, breakdowns in any area, striking, in any part of materials that go into a building, that we are really giving the existing buildings zilch and that doesn't really worry me much. What I am really concerned about, and I would like to propose to Council to think about, is that we have looked at the census report, we have looked at the population, where is Oxford or PPG and Dravo going to get their people? I'll tell you where they are going to get them because I have talked to them. They are going to come from other buildings where they have not enough space, where they are going to move out of the old buildings into the new. We are going to see such a glut of office space for a number of years that I would like to see either three years after construction, or a total of five years, when we talked amongst ourselves and decided the five years might be easier. That is one reason. I would like to see the same concept that New York has, that of offering five years after construction to encourage the bigger, the better building, so that they would know that they can have the five years in which to rent the space. The three existing major construction buildings or the four if you want to include the Oliver, have expressed concern to me and I am sure to other members of Council, probably more eloqently and have talked in greater depth with you than they do with me, that they have great concerns for renting their space. Even U. S. Steel that has Dravo as its anchor-client, is saying, "Where are we going to get our other people?" Oxford is concerned, PPG is concerned. There are only so many people you can attract in an immediate time, in a short frame of time.

Now we go to the vacancies that are going to be created, furthermore, I hate to be redundant, but I want it on the record, that it absolutely blew my mind going from San Juan to Palmas Del Mar and seeing three, not one, not two, but three, Johnson & Johnson plants, where people get 20 year exemptions and I am not advocating that by any means, but I am saying we need

more than journeymen, meaning, that when you build large buildings you have what are known as journeymen, I just learned the term, people come in the cities, build bridges, build buildings and they leave. We will create a lot of jobs for our unions here, but not permanent jobs, once the buildings are built they are done. I want to see some permanent jobs for our 65% unemployed youth on the Hill. I want to see some permanent jobs for people who call me every day, people who call and say, "Why aren't we starting with the present construction, I am a carpenter, I need a job". So something has to pass today and I am going to vote on whatever it is to get something out of here today but I would like to propose, in lieu of the fact that Michigan, and you know Mr. DePasquale, you hosted a meeting in your office, they give 12 years and if somebody leaves in less than 12 years, like 3 years, they pay those taxes, the city doesn't lose anything. I would like to change the motion from three to five years, I think we are then encouraging new businesses, small businesses to come in who will generate permanent jobs, it will take them a year and a half or two years to build the building, they have got three years tax exemption and I think that will create jobs in this community and I hope I can get a second for that.

**Mr. Givens:**

I will second the motion for discussion.

**Mr. Stone:**

Mr. President, if I may, I don't know how you are going to get more jobs, if you contract to build a building and there are certain amount of dollars, whether the exemption is three or five, doesn't change it. You still need the same amount of employees, the same amount of materials to build it —

**Michelle Madoff:**

I'm sorry, I don't think you understood that properly Mr. Stone.

**Mr. Stone:**

I think if you let me speak, I listen to you.

**Michelle Madoff:**

But you don't understand it.

**Mr. Stone:**

Well, maybe you don't know how to say it.

**The Chair:**

Please Michelle, let him finish.

**Mr. Stone:**

But aside from that —

**Michelle Madoff:**

No, you are the only one that understands everything —

**Mr. Stone:**

Do I have the floor?

**The Chair:**

Michelle, let's hear Mr. Stone out and then we will get back to you.

**Mr. Stone:**

Relative to the present status, whether there is a strike or not, anyone who builds a commercial or industrial building in the City of Pittsburgh, prior to this legislation, still pays taxes on it, pays from the date the permit is taken out. What was intended by this particular piece of legislation was an attempt to assist, to give aid, to give an inducement and in that connection, those who understand this program understand that so long as a new building, which demands more public service even though it is on an exemption, that the regular residents of the City of Pittsburgh, the other ones, are carrying the load during that

period of tax exemption or tax abatement. Somewhere along the line that assist is no longer assist, it becomes an abuse upon the remaining taxpayers who must carry the load during that exemption or that tax abatement program. Three years turns out, in this particular case, to be more than they have ever had before — three years, that is a lot of money toward these buildings.

I got a telegram from U. S. Steel today and I find it interesting. We have always tried to maintain in this City of Pittsburgh, a kind of balance at any time we have given an tax. When we put the Land Tax on before we did not raise the water rates, we did not raise the Business Privilege Tax, in short, we were never trying to find any scapegoats in any segment of the City, but at the same time, in our efforts to do good for others, we should be mindful that we are hurting those people who carry the load in between.

Last year we had the Greater Pittsburgh Chamber of Commerce who came to this Council and they recommended as an assist to the City of Pittsburgh, that we have an additional Wage Tax which is already higher than any other tax in Allegheny County. That is fine and if you will recall my statement as Finance Chairman from that table, if all of the members of the Greater Pittsburgh Chamber of Commerce would submit their salaries to the Wage Tax of the City of Pittsburgh, we would increase it immediately, regrettably, most of them who are making the money don't live in the City of Pittsburgh. Now I come with President Horn and he would like not three — and he doesn't even want to pass it now, he wants us to hold it for five years — I think Mr. Horn ought to be informed that the City of Pittsburgh intend it to help, they intend it as an assist, they intend it as an inducement, but the City of Pittsburgh never intended a public assistance program, nor a Section 8 program, nor a poverty program for U. S. Steel or any other company in the City of Pittsburgh. Three years is ample, three years is enough to ask the residents of the City of

Pittsburgh to carry a load. It is one thing to help, but somewhere down the line that help ought to be coming through. Three years, on a logical, financial, economical, moral basis, is very, very adequate and I will be voting against this motion.

**Michelle Madoff:**

Mr. DePasquale, I want to respond to that if I may. I don't think Mr. Stone, who always says that I don't understand, understood, and I think for clarification — I was saying — my opening line is that I am not a bleeding heart for industry. I don't care if they got two years. That was not the intent of my motion. The intent of my motion, if we did not have a Tax Abatement Bill, if all these companies had already applied for their permits, it would not affect them at all. I would like to see five years offered so that small industrial permanent job plants would have the incentive to come into this community in small lots because we don't have big land in the City. We have some small locations, where we have, I think, 45 packages, where they could build a small commercial business, employ maybe 100 people, 50 people on a permanent basis and the incentive would be that it might take a year and a half from the time to get the building built and they would have the rest of the time, say three and a half years in which to have a tax exemption. That is the point of my motion — where there is nothing being generated in revenue right now — and I resent the implication that perhaps I am suggesting that we ought to have a tag day for U. S. Steel, certainly that is not my intention. I think the bill doesn't go far enough in generating new jobs for this community on sights where we are getting nothing now and I don't want that distorted Mr. Stone.

**Mr. Stone:**

I don't want to distort it either —

**Michelle Madoff:**

You have a habit of distorting sir.

**Mr. Stone:**

During budget time you voted \$180 Million worth of debt —

**Michelle Madoff:**

Bullshit Mr. Stone —

**Mr. Stone:**

And didn't have the intestinal fortitude to vote for it.

**Michelle Madoff:**

I never got a chance to vote because you run a Chinese Auction and you don't ask us for a vote, and you won't do it this year by God, you watch because we are going to have a tax expert sitting here watching you every step of the way.

**Mr. Stone:**

You vote for taxes and you'll find out.

**Michelle Madoff:**

I didn't vote because you never said, do you vote, you said, "Is that okay, do you see everybody?" That is no vote, you ought to learn how to chair a meeting.

**Mr. Givens:**

I would like to bring some of this down to logic too, we have a companion bill here, maybe Tom might allude to, the fact that we have a residential bill, this is our nonresidential bill, if you give it to one, you must give it to two. I seconded the motion only for discussion of why we shouldn't go to five, and I think that has been brought out here very well. To think of what we did in 1979, in going through some of the figures there, we collected \$58.6 Million in real estate and the estimated new construction in that same year of 1979 was some \$54 Million. So if we apply the formula of about 25% of that \$54 Million, we end up actually with getting some \$13,580,000 and then we apply

our land or building, because we are only giving tax relief on the buildings and it is being taxed at 24.75 mills or 25 mills, the bottom figure for the year 1979 would have meant to the City of Pittsburgh around \$336,000 would have been tax exempt under this bill that we are proposing right now, but keep in mind that for every \$100 Million that we exempt for 100% for one year, equates out to \$618,000 using that same formula that I just mentioned, so there is a sizable tax advantage right here for anyone building with large construction in mind and the three years generally is an adequate period from the start of a particular project until its finalization. I think one only has to look out the window right here and across the street down there to see how ravishly the contractors are going at digging the holes and starting the foundations of these buildings to know that I think it is going to be finished a hell of a lot sooner than three years. So in the fact that we give our non-residents, residential three years, I would hold that we would hold three years for this particular tax abatement, knowing full well that the City of Philadelphia has a five year exemption, but then I can look at Philadelphia and their tax structure and without the State Representatives giving them some Santa Claus bags full, they would be in dire straights if they had to live with the austerity that this City lives with.

**The Chair:**

You are saying that if those figures hold true that the savings to industry will be something like a \$1,800,000 or Two Million Dollars?

**Mr. Givens:**

Well, figuring that each building on the average, \$100 to \$125 Million maybe even up to \$200 Million —

**The Chair:**

The figures that you gave, you mentioned six hundred some thousand per year which really isn't that great a thing.

**Mr. Flaherty:**

Mr. President, I strongly concur with what Councilman Stone and Councilman Givens have said in regard to this bill. I think it is important that this Council should bear in mind that we have increased taxes approximately 120% over the past two years on homeowners and corporations and it is a proven fact that our tax base is seeming to drop here in the City along with the exodus of our population and if we are going to talk about increasing corporate exemptions, we should also be talking about increasing the homeowners exemption. I feel that three years is an adequate — enough time to see if perhaps we should increase it, if three years is not bringing an appropriate amount of jobs into this area. I feel it is a very fair compromise and it is a compromise that the corporations agreed to and now we have a few of them that — or we have one person from U. S. Steel who is asking us to hold it at the last minute, I feel that is too late, we had one hearing or did we have two hearings on this bill and it should stay at three years.

**Michelle Madoff:**

The thing that really is very frustrating about this whole situation — I don't disagree with one thing that was said here today about the three year tax exemption for industry, I want that clearly understood, I think it is more than adequate. Unfortunately, it appears in the hours that I spent over Friday, Saturday and Sunday, and I spent many hours speaking to the Law Department and with Gracie Harris at home and this morning calling Mr. Robinson at his home, I tried to get ahold of Mr. Flaherty, I tried to talk to a number of people — I was given to understand, by someone working on behalf of U. S. Steel, that the State Legislative Bill says you can have up to 10 years, that 10 years is a maximum and that they didn't say it couldn't be on a sliding scale — in other words, you could negotiate with each company differently. It seemed to me that in Council we heard that was not true and I checked with the Legal Department and

Gracie Harris said that Mr. deLuca had come up with the same question about a year or two ago and she researched it very thoroughly and the research was that indeed, you could not have one tax for three years for some people and five for another and ten for somebody else. Ideally, I would love to see a 10 year tax exemption for any industry that would come in where we get no taxes right now and have hard core unemployed trained and give them 10 years. I would like to see five years for a business like Johnson & Johnson or some kind of small corporation that manufactures gobbledygooks, whatever — hoola hoops, that would come in and build a plant and give us employment where presently there is nothing generating taxes, and go with the three years that we have.

What I was told and what I hope we will propose, is that we ask for a legislative amendment, or enabling act, which will then allow us to go three years on this type of legislation and perhaps five years where we are not generating any revenue now and maybe 10 years for businesses that are hard core. She said we cannot do it under the present state legislation, that we would need to change that act and perhaps, whoever our lobbyist is in Harrisburg, at this point I have lost track if we even have one, if they are doing an effective job, maybe that is the answer to the dilemma that I am confronted with. I have no problem, I am going to vote for this bill because we have got to get something moving —

**Mr. Givens:**

Mr. President, I seconded the motion, I withdraw my second, I think that will close the discussion.

**Michelle Madoff:**

I'm not through.

**Mr. Givens:**

Well hold it, wait a minute, I withdrew my second.

**Michelle Madoff:**

Mr. President, all I am saying, and I don't think there is anybody that disagrees, that if somebody would come into this City and bring in 1,000 jobs if we gave them a 10 year tax exemption, for hard core unemployed, if that were possible to do that, that we would vote against that where we presently have no revenue. May I remind everybody, that when J & L built the Edgar Thompson Works, they got their land from H.U.D. at 55c a square foot. If you want to see the proof I have it in my office.

**The Chair:**

If I may exercise the prerogative of the Chair, I see no problem with the five years personally, especially if it can be shown to me where jobs are going to be created, that seems to be my forte, more jobs, just as well as the rest of Council, but I have to agree with Councilman Stone and Flaherty in regards to U. S. Steel, at the last minute saying five years. Now we have kicked this thing around for six months —

**Michelle Madoff:**

They didn't ask for five years, did they?

**The Chair:**

...and nobody in industry has indicated they wanted five years until today, that telegram arrived where U. S. Steel was saying, "Give us five or delay it". I think it is sort of unfair of Horn or whoever wrote that telegram to ask for a delay at this time when he said nothing in the past six months.

**Michelle Madoff:**

They didn't ask for anything, they didn't ask for a special number, they just want us to delay our program until the advantage of an extended abatement period can be studied, or a tax moratorium.

**The Chair:**

Until you could talk about a five year

abatement, yes. I am only saying they didn't discuss it earlier and maybe I am telling tales out of school, but I believe the Mayor has intimated to several Councilpeople that if we go beyond the three years which he has promised the public that he will veto the bill.

**Michelle Madoff:**

If it was up to the Mayor we still wouldn't have group homes.

**Mr. Robinson:**

I feel that I would be less than honorable if I did not make a comment relative to my concern in regards to the passing of this legislation. While I appreciate the legal opinions that Mead Mulvihill and Grace Harris have put together for us, relative to the amendments in this bill, particularly those that relate to trying to make some positions for the utilization of minorities and women, I certainly feel that we are well within our rights to require that those corporations and businesses that are going to benefit from public support from the governmental process, it needs to be very specific in what they are going to term the general public. As Mr. Stone has indicated, the vast majority of the people in the City over a three year period are going to have to carry the tax burden, the ones shared by many of the corporations, as others who will now benefit from three year abatements. I do feel that this is not the time to address my disagreement with Mr. Mulvihill and Grace Harris relative to this matter. Certainly the worthiness of this type of legislation, as far as seeing to other concerns, at least at this point and the ones who have those benefits that have been attributed to this legislation will be coming through the citizens of this City, I think it is indeed unfortunate that we have not been able to work out some means by which we can get a commitment from those in industry, particularly as we utilize the government process for their benefit and I think the tax abatement program is only one indication of this City's commitment to the business community. I think we need a

commitment from them in terms of utilizing minorities and women, utilizing the workers and local businesses and I would hope that we would be able to endeavor some changes to support that notion. I also believe that those practical commitment need the full support of City government because, certainly what we do is on behalf of all the people and I think to make our policy consistent with our deeds we certainly need stronger government support for these kinds of activities.

It has already been mentioned, the financial impact that this type of abatement will have on the City of Pittsburgh, again, I think that given the financial strain that the City has been in, and our projection for the future, any attempt to abate taxes will have to be balanced against the total impact on the community. I do feel that while I am reluctantly supporting this legislation, that I was intending to research appropriate legislation and appropriate action to see to it that we do have involvement of minorities and women and we do have involvement of local businesses and workers in projects that this City is lending its full support behind and the support of all the citizens. I think those actions that we are taking or have taking on behalf of the citizens of this City, do lend the governmental process in aiding private industry and I think that it is unfortunate today that we have not heard from industry relative to a specific commitment to the citizens of this City pursuant to this legislation. I'm worried about the benefits to the business community, I'm worried about the benefits of those who are already working. We have not heard about benefits to people who are not working, we have not heard about the benefits of those people who for many reasons have been excluded from work. We have not heard anything about how this is going to help the many businesses in our community, that also need to share in the redevelopment of this City. We have also not heard about how it is going to benefit workers right here in our own community, who also need to benefit during the re-birth of our City.

So, with a great deal of reluctance and

with a recognition that this type of legislation is one more incentive to hopefully keep our City at a pace with all the others, I will vote for Council Bill No. 50.

**Michelle Madoff:**

Excuse me one moment, Mr. Robinson, didn't Oxford sign an agreement with NAACP or people representing the minority community that indeed they would be willing to pick up or to grant a fair share of the workload of job opportunities to minorities?

**Mr. Robinson:**

I am not aware of that.

**Michelle Madoff:**

They have and it was in all the newspapers and I think they should be highly commended and I think that is another example of a company who really cares.

**The Chair:**

At any rate that is only one company, we are talking about several companies and you bring one up.

**Michelle Madoff:**

Well, I think Mr. Robinson is right and I support him completely, I am just saying that we have got one leadership example, I hope the others will follow suit.

**The Chair:**

I understand that Oxford did just that.

**Mr. Stone:**

It is my understanding that we are being permitted to do this under the LERTA Statute which has certain restrictions. But it appears to me that the idea that Mr. Robinson has proposed here is a wise one. While I agree that exemptions in this particular instance are good ones, I think at the same time that when you are



giving exemptions, there should be that factor of finding out how we are taking care of those people who otherwise might not be employable, that is the women and the minorities, and as well, our local businesses and our local labor. I think the overall concern obviously is to try with some abatement that we get that added advantage of alleviating those adverse economic conditions that may exist from time to time and particularly as they do now. I think that Mr. Robison should pursue the thought and the philosophy that is contained in the thoughts that he had, I join him in not holding up this legislation, but I think that there should be other efforts made immediately to try to incorporate it in some way. I have been told by the City Solicitor that you can't impose a condition. I would like to respectfully differ with him that you can, however, ask that they give some statement, or that they give some idea what they propose even though it not have to be an acceptable plan so that you have some idea where this City's future course will be going. So in that connection I think we ought to be looking at it again, but I think this legislation ought to pass at this time.

**Michelle Madoff:**

Mr. Stone, do you have any objections, if it were conceivable under an enabling act from the State to grant —

**Mr. Stone:**

Point of order Mr. President, the question has been called for, it is not time for discussion.

**Michelle Madoff:**

You raised an issue about those who need jobs, do you have any objection to having people getting jobs if we have something to give them an incentive —

**Mr. Stone:**

Point of order Mr. President.

**Michelle Madoff:**

I notice you avoided that issue.

**Mr. Stone:**

Point of order, it is time for the vote.

**Michelle Madoff:**

For one who cares about people getting jobs he isn't showing much concern.

**The Chair:**

I run the risk in making a comment here, maybe I shouldn't make it — it seems to me that most of industry is quite happy with the three year abatement, so in regards to my remarks about five years, they stand, at the same time, I think that industry is more than satisfied and as Mr. Stone and others have intimated, we have bent quite a bit in regards to the taxpayers of the City of Pittsburgh, so I think it is a fair bill all around.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1662

A Resolution entitled, "Resolution approv-

ing a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the Port Authority of Allegheny County for the sale of part of Parcels 4C and 4E in the Eleventh Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1715

A Resolution entitled, "Resolution amending Resolution No. 466, effective June 3, 1980, 'authorizing an Agreement with the St. Vincent DePaul Society for the renovation of a facility located at 2005 Wyandotte Street', so as to include the Director of the Department of City Planning as an authorizing agent in the Agreement and include the Project Number."

Which was read.

Also,

Bill No. 1721

A Resolution entitled, "Resolution amending Resolution No. 674 of July 7, 1980, providing for an Agreement with the Bloomfield-Garfield Local Development Corporation for a marketing survey and study to be subcontracted to Marketing Investigations, Inc."

Which was read.

Also,

Bill No. 1723

A Resolution entitled, "Resolution approving an agreement by and between Urban Redevelopment Authority of Pittsburgh and Stanley Construction Company in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Thirteenth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1724

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Stanley Construction Company for the sale of Parcel 5 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 34."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 1791 Report of the Committee on Supplies for October 1, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1648

A Resolution entitled, "Resolution providing for an Agreement or Agreements with

Charles Hatch Spagnola, Director of Driver Training, General Teamsters, Chauffeurs and Helpers, Local Union No. 249, for driver training for City employees; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Stone	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mrs. Masloff presented

No. 1792 Report of the Committee on Parks and Recreation for October 1, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 1654

A Resolution entitled, "Resolution amending Resolution No. 327, effective April 25, 1980, entitled, 'Providing for the letting of a contract or contracts for the purchase of Food Vendor services and administrative costs for the Special Food Service Program for children from funds provided by the Commonwealth of Pennsylvania, Depart-

ment of Education', by changing the cost of the project."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1655

A Resolution entitled, "Resolution amending Resolution No. 96, effective February 28, 1980, entitled, 'Providing for an Agreement or Agreements for professional services in connection with the development of the Pittsburgh Zoo and providing for the payment of the cost thereof', by providing for the use of existing Agreements."

Which was read.

**The Chair:**

Is there any discussion on the bill?

Michelle Madoff:

Mr. President, on Bill No. 1655 where we are spending \$100,000 of Capital money for study on the Zoo, it is time to give the

Zoo to the County because two-thirds of the people using it are County residents and we are picking up Four Million Dollars a year in deficits and it is time, when we talk about the poor tax base of the City, let's do something about generating the money from those who use the product. I am voting no on this bill.

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes 1

(Michelle Madoff voting no.)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1656

A Resolution entitled, "Resolution granting a license to Duquesne Light Company for the installation of one (1) pole and anchor and underground electrical system on City property, fronting on Breining Street, 32nd Ward."

Which was read.

Also,

Bill No. 1697

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of floor fans for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 1793 Report of the Committee on Lands and Buildings for October 1, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1640

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Hill House Association, a non-profit organization, for the renovation of the Kaufmann/Hill House Multi-Service Center, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1641

A Resolution entitled, "Resolution providing for a lease of certain property at South 4th Street and Bingham Street, 17th Ward,

from M. Berger Land Company, for a term of twenty-six (26) months for office space for the Department of Environmental Services, upon certain terms and conditions; providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1643

Resolution repealing Resolution No. 50 (Item C), approved 2/15/80, for the sale of vacant land on W. Carson Street, 29th Ward, designated as Block 21-L, Lots 58, 63 and Block 21-P, Lot 273, to Richard S. Francis, for the sum of \$2,850.00. Resolution is to return hand money to purchaser.

Which was read.

Also,

Bill No. 1644

Resolution repealing Item (D) of Resolution No. 483, approved 6/3/80, for the sale of lot on Tullymet Street, 15th Ward, (55-P-77), to Randolph and Sylvia Nagy for the sum of \$700.00. Resolution is to return hand money to purchaser.

Which was read.

Also,

Bill No. 1645

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

Mr. Givens presented

No. 1794 WHEREAS, Sunday, October 5, 1980, will mark the beginning of the "Respect Life" program which is an annual observance instituted by the Catholic Bishops of the United States; and

WHEREAS, the central message of this observance is that every human life is infinitely precious, it is a gift of God and subject to His dominion; and

WHEREAS, we may remember the words of Pope John Paul II, "Much remains to be done to support those whose lives are wounded and to restore hope to those who are afraid of life. Courage is needed to resist pressures and false slogans, to proclaim the supreme dignity of all life and to demand that society itself give its protection"; and

WHEREAS, our Declaration of Independence proclaims that each citizen has the right to life, liberty and the pursuit of happiness,

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of this City hereby recognize the month of October as "Respect Life" month for the

year 1980 and encourage our citizens to reflect upon the dignity and preciousness of life.

Which was read.

**Mr. Givens** moved for adoption.

**Mrs. Masloff** seconded the motion.

**Michelle Madoff:**

Mr. Givens, in this resolution, are you suggesting that the children in Cambodia and the starving children in America and Appalachia be looked after and that people have the right to be sure that they can support the children, that is all included in here, is that right? I mean, this isn't a pro-life bill, it is?

**Mr. Givens:**

It is respect life.

**Michelle Madoff:**

All forms of life —

**Mr. Givens:**

All forms of life.

**Michelle Madoff:**

Life as one individual —

**Mr. Givens:**

Human forms of life.

**Michelle Madoff:**

As one individual — well, why not dogs, I like them better than some people at this table — would you say that this would include one's individual right to decide when life begins?

**Mr. Givens:**

I think the resolution speaks for itself and I would not want to —

**Michelle Madoff:**

No it doesn't I would like clarification before I vote on it. I think one would have the right to decide for themselves when they feel that life begins, is that what you are saying? That would include that right?

**Mr. Givens:**

I'll stand by the resolution.

**Mr. Flaherty:**

I have a question, it starts off here, "will mark the beginning of the 'Respect Life' program which is an annual observance instituted by the Catholic Bishops of the United States". Could you tell us what that program consists of? Because it is instituted, so I imagine that it consists of something. It seems to be a program that has been drawn up and I was wondering if you have gone over that program prior to introducing this resolution?

**Mr. Givens:**

I think the resolution addresses itself to the "Respect Life" program, it is one that delves into many areas, but the general theme is to bring the attention of the public of the respect of life and I think we need a little of that today. I think you are reading something into it that is not in there.

**Mr. Flaherty:**

Okay, in this program is there any inference to abortion?

**Mr. Givens:**

I don't know.

**Michelle Madoff:**

Then it is not appropriate to vote on it, I am not voting for a pig in a poke.

**Mr. Flaherty:**

I also cannot vote for it because if

you don't know what is in the program how can you expect our Council to vote for it.

**Mr. Givens:**

I'm not saying that I know everything that is in this particular program, you asked a specific question here and I gave you a specific answer. I don't know, on this specific — respect for life is indicated in this resolution and it doesn't go any further than that, so I think you are reading something into it that is not there.

**Mr. Flaherty:**

Well no Dick, you are referring to an actual program but you can't tell this Council what that program consists of.

**Mr. Givens:**

I think it spells it right out in the resolution itself.

**The Chair:**

The program itself Mr. Flaherty, is "Respect Life"—

**Mr. Givens:**

It is "Respect Life" week period. I mean they don't go into all the intricacies of what you are getting into on abortion — pro-abortion —

**The Chair:**

...it has to do with abortion on demand, unlimited abortion, I mean to be fair about it that is probably what it means, that they are opposed to abortion on demand and unlimited abortion —

**Michelle Madoff:**

Then lets say that, lets know what we are voting on. I think Mr. —

**The Chair:**

I'm not going to say that, I am only

saying that is my interpretation of respect life.

**Michelle Madoff:**

Mr. Flaherty has a right to say, "What are we voting for?" and I am saying the same thing, what are we voting for, I am not voting for something I don't understand.

**Mr. Flaherty:**

I have to abstain because I don't understand the resolution.

**Michelle Madoff:**

I have to abstain for the same reason Mr. Flaherty is abstaining.

**Mr. Stone:**

I will vote aye because of the body of the resolution. I think that in the future when we make whereases we should not attempt to inject religious beliefs into City government, but the body does not say that, the whereases do and based on the language of the whereas, I am giving my yes to this bill.

**The Chair:**

Well, as the gentleman says his resolution stands and he has a second on the resolution, Sophie Masloff seconded it.

Is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 6    Noes none**

(Mr. Flaherty and Michelle Madoff abstaining)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens:**

This is under Old Business Mr. DePasquale, but has any resolution come on the CAP?

**Mr. Stone:**

That is what I was raising my hand for too.

**Michelle Madoff:**

Well, I have another resolution, I raised my hand first, I was recognized, do I go first or do we —

**The Chair:**

Go ahead.

**Michelle Madoff:**

Mr. President, I would like to share with Council that this weekend — well, let's go back a step, last weekend I made an oral resolution and we never followed through, we got into a debate, we never followed through with a second or with some action and I believe a letter — the Clerk might be able to clarify, a letter was sent to the Mayor urging that community parking be made available at houses of worship and schools and so on that are not used during the day and that we have some means of transportation worked out either with SPRPC, Yellow Cab, Peoples Cab and so on. I took the liberty of speaking to Mr. Sinnott of the Yellow Cab and people from Peoples Cab whose names I don't have with me at the moment. They are coming into meet with me and I don't think it is appropriate that they meet with me alone, I think they should meet with all of Council, particularly our President and discuss an idea. The idea is that people

would drive say to Oakland and maybe the South Hills or wherever — each of us in our own communities or through Ward Chairmen, would find places that would be willing, particularly in the next three years, during the massive construction, to make available their sites.

For example, a cab from Oakland, from Rodef Shalom, or the church next door, the Greek church, would be something like \$3.00 in change, that would bring it, say, with a tip, let's say \$4.00. Four people would be waiting there at 8:10, they would have a ride in and a ride back at a dollar each a day, that means \$2.00 a day and they would have no charge for parking, it would only cost them \$2.00 a day which certainly is a great bargain and this might even carry on later, which would generate spaces for businesses, shopping stores, department stores to have other people come in and out to shop, and he has already indicated a very strong support in working with us and I wonder if I could set up a meeting with Mr. Sinnott and with yourself, would you be amenable to doing that?

**The Chair:**

Yes.

**Michelle Madoff:**

And we will not make it as a resolution, but let's talk about it as a body and we'll get Peoples Cab to do it. If it works, they will then increase their fleet to accommodate us.

**Mr. Stone:**

Mr. President, on the question that Mr. Givens asked. In your absence, I spoke to the Mayor relative to the CAP Board situation and his feelings, and I think it is accurate here, trying not to impose on anyone's jurisdiction, he has indicated that all Councilpersons who intend to serve will indicate their intent, now we can do it at this table, right now we can do it, or indicate to you who will serve, any vacancies



he will immediately appoint so that this body can get moving. I don't think we should play with this thing anymore, those who are willing to serve indicate that you are and I understand that most have already done so, lets get that officially communicated to the Mayor, let him fill any vacancies that are there, let CAP hurry up and get reorganized as quickly as possible. I think that is the easiest solution, we shouldn't play with it anymore.

**The Chair:**

Is there anybody who can't serve, or won't serve?

**Mr. Stone:**

Why don't you just get that after, everybody indicate to you and save the time here and then —

**Mrs. Masloff:**

We already did.

**The Chair:**

I think it is a majority, I don't think there are any exceptions, everybody said they would serve.

**Mr. Stone:**

I didn't say that I would.

**The Chair:**

Actually including the City Controller, there are 10 City elected officials and I think there are only eight seats on there.

**Mr. Givens:**

Bob, I didn't quite hear you, did you say by resolution we are going to do this, or just by affirmation that we —

**Mr. Stone:**

No, no, just indicate to him the Councilmen who will serve. Once that is

done, obviously we have vacancies that exist, and he will supply the names immediately for those others, lets get this Board constituted, lets get it on its way.

**Michelle Madoff:**

Clarification, are we going to do it now? And are we naming our alternates?

**The Chair:**

Everybody has implied to me —

**Michelle Madoff:**

I plan to attend as many as I can, but I have an alternate and I am staying with my alternate because he is very knowledgeable and very effective and so is, I believe, Mr. O'Malley's.

**Mr. Stone:**

Michelle, I don't think we should get into that issue at this point.

**Michelle Madoff:**

Well, that is the issue, that is what they didn't like, that is what brought this to a head so we might as well not sweep it under the carpet.

**Mr. Stone:**

Well, I don't think it is that, I think we ought to indicate those who are willing themselves to serve, and —

**The Chair:**

We are beyond that Michelle, Kirk said he would not fund it if we sent alternates and the Mayor —

**Mr. Stone:**

If those people weren't suffering so much as they are —

**Michelle Madoff:**

The law of the land, and I have read

the legislation it says that we are empowered to have an alternate and I plan to have an alternate.

**The Chair:**

What good is that going to do us if they won't give them the money? The law of the land is something else, if Dr. Kirk will not give them the money --

**Michelle Madoff:**

Well maybe we ought to get rid of Dr. Kirk.

**The Chair:**

Well, that is something else, but at the present time he is there and he is saying he will not fund it, he made it rather clear with the Councilmembers in my office and he has made it rather clear in print. He will not fund it unless duly elected officials are on that Board or people chosen by the Mayor to take their place.

**Michelle Madoff:**

Well I plan to attend whenever I can possibly, but I can't be cloned.

**The Chair:**

But I mean, we are beyond the stage of who should serve and who shouldn't we want to get the show on the road, let's get down there and serve, let's get them the money, and get those agencies rolling.

**Mr. Stone:**

Get that list and get it to the Mayor immediately so he can appoint his, let's get it over with.

**The Chair:**

If anybody isn't going to serve, let me know, I take the indication that everybody is willing to serve.

**Mr. Flaherty:**

I have a question on this, then the people who are on there currently now, that are representing specific members of Council, then, are they still on the Board or are they off the Board now?

**The Chair:**

They are on as of now in an interim basis, they will not be on once the new appointments are made.

**Mr. Stone:**

I think he means the designee of some Councilman, obviously if you are on it, he is off of it.

**The Chair:**

They are not having any meetings, they are not funded, so obviously the Board is now out of existence, the present Board.

**Mr. Stone:**

If you are on they are off.

**The Chair:**

They are now forming a new Board.

**Mr. Stone** moved to approve the minutes of Monday, September 15, 1980 and Monday, September 22, 1980.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

I move to adjourn this meeting and meet again next Tuesday, October 14, 1980, at 2:00 P.M.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Tuesday, October 14, 1980

No. 39

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Tuesday, October 14, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1795 Resolution repealing Resolution No. 967, approved September 25, 1980, effective September 29, 1980, in its

entirety, entitled, "Amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, entitled, 'A Resolution providing for a Contract/s authorizing resurfacing of various City Streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurb-ing and other work incidental thereto, PW 80-02; and providing for the payment of the costs thereof.'"

Which was read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1796 Resolution transferring the total amount of \$7,000 from Code Account 1365, Equipment to the following: Code Account 1362, Supplies, \$3,000.00; Code Account 1364, Repairs, \$4,000.00, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 1797 Resolution providing for a contract or contracts or the use of existing contracts in connection with Renovations Various Public Buildings and providing for the cost thereof, Department of Lands and Buildings.

Also,

No. 1798 Resolution providing for taking and payment of an estimate of Just Compensation together with title fees and appraisal costs related to condemnation of

property from Ben Schreiber and Ann Schreiber, his wife, necessitated by the widening of Spring Garden Avenue and Vinial Street, 24th Ward, City of Pittsburgh,

Which were read and referred to the Committee on Lands and Buildings.

Michelle Madoff presented

No. 1799 Resolution providing for issuance of a warrant in favor of Fisher Scientific Company, Department 653050, P.O. Box 405, Pittsburgh, PA 15230 in the amount of \$343.80, chargeable to and payable from Code Account No. 1705, Repairs, for a microscope.

Which was read and referred to the Committee on Finance.

Also,

No. 1800 Resolution providing for a contract/s for water line work in conjunction with the Rehabilitation of Madison Avenue between River Avenue and Carpenter Way, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1978 C.B.A. WD 78-3, (4-05-20-1175-78).

Also,

No. 1801 Resolution providing for a contract/s for Water Line Protection of the 60" Water Line at Lowrie Street, at a cost not to exceed \$100,000.00, chargeable to and payable from the 1979 C.B.A., WD 79-03, (4-05-12-1026-79).

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1802 Resolution repealing Resolution No. 830, effective August 25, 1980, entitled, "A Resolution providing for an Agreement or Agreements with Community Action Pittsburgh, Inc., for services to the Senior Meals Program, and transferring the sum of \$5,000.00 from Code Account 42,

Contingent Fund to Code Account 1838, Parks and Recreation".

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 1803 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of the Frick Park Service Building on English Lane and providing for the payment of the cost thereof, not to exceed \$5,365.00.

Also,

No. 1804 Resolution providing for a contract or contracts or the use of existing contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof, not exceeding \$50,000.00.

Also,

No. 1805 Resolution amending Resolution No. 1350 of 1977, the 1978 Capital Budget, by providing for an additional appropriation of \$12,475.00 for Project PR 78-04, 4-10-01-1260-78, Physical Fitness Trails, in the Department of Parks and Recreation.

Also,

No. 1806 Resolution amending Resolution No. 659, approved July 22, 1980, effective July 25, 1980, entitled, "Resolution providing for Lease or Leases and/or License Agreements for the use of certain

property for Senior Citizen Facilities" by providing for a supplement to an existing Lease or Leases and/or License Agreements.

Also,

No. 1807 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,495.00 for extra work in connection with emergency repairs (miscellaneous hardware) necessary for maintenance and repair of Parks and Recreation Showmobile.

Also,

No. 1808 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,455.38 for extra work in connection with emergency repair work (doors, door handles, switches, lights and related equipment) necessary for maintenance and repair of Parks and Recreation Showmobile.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 1809 Resolution transferring the sum of \$2,876.00 from Code Account No. 1463-1, Educational and Traveling Expenses to Code Account No. 1468, Equipment, within the Department of Fire.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 1810 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 13 by changing from "R3" Multiple-Family Residence District and "C3" Commercial District to "RP" Planned Residential Unit Development District certain property located on the easterly side of Second Avenue between Glen Caladh and Tecumseh Streets, 15th Ward.

Also,

No. 1811 Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, for construction of a six-story, 96 unit housing facility for the elderly located on Second Avenue between Glen Caladh and Tecumseh Streets, 15th Ward.

Also,

No. 1812 Resolution further amending Resolution No. 822 of 1980 which amended a previous Resolution No. 313 of 1980, by making certain line item additions to the budget and providing for the payment of the cost thereof.

Also,

No. 1813 Resolution further amending Resolution No. 287 of 1980 which amended previous Resolution Nos. 973 of November, 1979 and 472 of May, 1979, by making certain budget line item additions, and providing for the payment of the cost thereof."

Also,

No. 1814 Resolution authorizing URA of Pittsburgh to acquire the property in the 2nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 9-D, Lot No. 200 and 225, owned by Consolidated Rail Corporation, and providing for the payment of the costs thereof under the ILRF.

Also,

No. 1815 Resolution providing for a Cooperation Agreement or Agreements with the URA of Pittsburgh for the rehab and management of the Conrail Produce Terminal in the 2nd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 1816 Resolution authorizing and

directing the Mayor to issue and the Controller to countersign a warrant in favor of the Pennsylvania Commission on Crime and Delinquency in the total amount of \$5,938.00 representing unused funds in various projects.

Also,

No. 1817 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$908.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from July 28, 1980 through August 24, 1980.

Also,

No. 1818 Resolution transferring the aggregate sum of \$35,000.00 to Code Account No. 1005-2, Printing, Municipal Record, City Clerk's Office, from Code Account No. 1004, Newspaper Advertising and Code Account No. 1006, Equipment.

Which were read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 1819 Resolution providing for the issuance of a warrant to Karen Waight in the amount of \$3,300.00 in full settlement of claim for personal injury and providing for the payment thereof.

Also,

No. 1820 Resolution transferring \$2,020,000.00 from Code Account No. 42-2, Contingency Fund to the following ac-

counts: 44, Workmens' Compensation Fund, \$1,200,000.00; 45, Health Insurance, Municipal Employees, \$705,000.00; 54, Group Insurance Plan, Municipal Employees, \$115,000.00.

Also,

No. 1821 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the Refurbishing of the City Controller's Office Extension, Department of City Controller, and for the payment thereof.

Also,

No. 1822 Communication from Melanie J. Smith, requesting permission for Marquita Beaford and Gwendolyn Branson, to attend mandated Career Advancement Voucher Demonstration Project Conference, Washington, DC, October 22-24, 1980, at a cost not to exceed \$600.00 payable from CETA Trust Fund.

Also,

No. 1823 Communication from Raymond E. Johnson, requesting permission for Joseph T. Ware to travel to National Fire Hose Corporation, Columbus, Ohio, October 22, 23 and 24, 1980 for the purpose of inspecting and testing fire hose to be purchased by the City of Pittsburgh. It is further requested that he be granted to travel by City of Pittsburgh motor vehicle. The cost of this trip will not exceed \$200.00, payable from Code Account 1052, Inspection.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1824 Report of the Committee on Finance for October 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1693

A Resolution entitled, "Resolution transferring \$7,000.00 from Code Account 53-1, Reserve Fund Debt Service, Stadium Authority of Pittsburgh to Code Account 1360-1, Premium Pay, Department of Lands and Buildings."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1694

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, 22nd and Merriman Streets, P.O. Box 4282, Pittsburgh, PA 15203, in the amount of \$37,755.00 in payment for the Emergency Installation of a 36" Valve at Madison Avenue and Peralta Street, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1695

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of A/C Pipe Inc., Wm. H. Clausen Company, Boro and Secane Roads, Primos, PA 19018, in the amount of \$958.29 in payment for repair to an A2 Tapping Machine furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1711

A Resolution entitled, "Resolution transferring the sum of \$35,000 from Code Account No. 1423, Equipment, Emergency Medical Services, as follows: \$30,000 to Code Account 1420-1, Premium Pay, Emergency Medical Services and \$5,000 to Code Account 1421, Miscellaneous Services, Emergency Medical Services."

Which was read.

**Mr. Stone:**

Mr. President, on Bill No. 1711, I move to amend. In the resolution, that figure would change to \$21,294.50 on line one, and read as follows: "\$16,294.50, instead of \$30,000 from Code Account 1420-1. Then in Section 1, the \$30,000 would change to \$16,294.50," that is what they will need to get through November.

**Mr. O'Malley** seconded the motion.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 1718**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of GAF Corporation in the amount of \$399.62 for the repair of the Ozalid Machine in the Pittsburgh City Planning Department without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 1719**

A Resolution entitled, "Resolution temporarily transferring the sum of Seventy-Five Thousand Dollars (\$75,000.00) from Unrestricted Cash, Urban Redevelopment Authority to Unrestricted Cash, Department of City Planning."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**



And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1728

A Resolution entitled, "Resolution transferring \$1,165,000 from Code Account No. 42-2, Contingency Fund, to the following accounts: 44, Workmens' Compensation Fund, \$600,000; 45, Health Insurance, Municipal Employees, \$325,000; 57-1, Retirement Severance Pay-Sick Leave, \$200,000; 44-1, Unemployment Compensation Fund, \$40,000."

Which was read.

Mr. Stone:

On Bill No. 1728, where the figure \$1,165,000 appears, that would be changed to \$800,000. Deleted from this Bill will be 45, Health Insurance, Municipal Employees, \$325,000; 44-1, Unemployment Compensation Fund, that would leave the Workmens' Comp at \$600,000 and 571, Retirement Service Pay, Sick Leave, \$200,000. Those corresponding changes in Section 1, the \$1.165 Million would change to \$800,000, where it says that on the next line item on Contingent Fund, that would change to \$800,000, you would delete the second and fourth lines thereafter and the bottom line would read \$800,000, so moved.

Mr. O'Malley seconded the motion.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 1729

A Resolution entitled, "Resolution authorizing the Treasurer of the City of Pittsburgh to commence the process of negotiation concerning the issuance and sale by the City of the City's General Obligation Capital Notes, 1981, Series A, in the aggregate principal amount of \$9,000,000 and the purchase thereof by underwriter(s), for the purpose of financing a portion of the cost of the acquisition and construction of the City of Pittsburgh's 1980 Capital Improvements Program, including, if necessary, the partial refunding of the City's Bond Anticipation Note, 1980 Series A, paying the cost of issuing the notes, appointing professionals, and establishing the useful life of the projects."

Which was read.

Also,

Bill No. 1730

A Resolution entitled, "Resolution determining and authorizing the advertisement for a public sale of \$37,000,000, aggregate principal amount, General Obligation Bonds of 1981, Series A, for the purpose of financing a portion of the cost of the acquisition and construction of the City of Pittsburgh's 1981 Capital Improvements Program, including, the refunding, in whole or in part, of the City's Bond Anticipation Note, 1980 Series A, paying the costs of issuing the Bonds, appointing professionals, establishing the useful life of the projects, authorizing other necessary or convenient actions, and repealing inconsistent legislation."

Which was read.

**Mr. Stone:**

On the bonds, I think maybe counsel would like to talk on that.

**Mr. Vincent Restauri:**

Mr. President, the two pieces of legislation, one dealing with the bond issue and one dealing with the note issue, which are scheduled to be closed in January, 1981, have been revised and we would ask Council to adopt the following amendments.

On the note resolution there are two changes, one is a cosmetic change in the signature area and the other is that the projects which will be financed by the proceeds of the notes have been referred to by reference as Schedule One and Schedule One will be completed as we near that time when the notes will actually be closed rather than tying us in at this time.

**Mr. Stone:**

You are talking about the schedule?

**Mr. Restauri:**

There was no schedule originally. Rather than refer to 1980 and 1981 Capital Improvement Programs in whole, we have thought it wiser to simply say that the project would be the capital project of the City. They will be listed and will be attached to the resolution at the time that Council is asked to actually authorize the sale of the notes. The resolutions before you do not authorize the sale, either of the bonds or the notes. They simply authorize the appropriate officials of the City to be given the process of inquiring and seeking out potential bidders and purchasers of the notes. At this point we don't want to tie ourselves into the project. When the legislation comes before Council again in December, the process and project will be listed on the schedule that will be attached to the resolution. That is concerning the notes and for the resolution concerning the bonds.

Now limiting ourselves exclusively on the bond resolution, there is the change concerning the schedule of the project. In addition, the date of the bonds has been changed and now it will be January 1, 1981 and will remain at January 1 of each year and the interest will be payable January 1 and July 1 of each year.

In Section 3 of the bond resolution, it is dealing with the contract of the financial advisor and it has now been clarified and now states that the maximum fees will not exceed \$25,000.00 and the maximum expenses, the total maximum expenses.

**Mr. Stone:**

You are saying that the maximum expenses which are no longer distinguished by type. If they are identified and not identified, I have to class the expenses.

**Mr. Restauri:**

The resolution stated that the fees were not to exceed \$25,000.00. There are certain expenses that will not exceed, I believe \$7,500 or \$8,000.00, and certain extraordinary expenses that would not exceed \$7,500.00 rather than force the financial advisor to try and classify which one was extraordinary since they are already reimbursable. So we now have two categories, one as a basis fee for the services and the other is for the reimbursable expenses, travel and so forth, which are not to exceed \$7,500.00.

Section 10 of the bond resolution was modified in conjunction with the changes that I just mentioned a few minutes ago. So now it reads that the completion of the construction of the project were financed with bonds will not occur before July 1, 1981. They may occur after that but not before it. The reason we must say something is that the local government requires that the bonds begin to mature a certain number of years after construction of the project, so now they must specify that at the earliest when construction is in the stages so we can then begin to gauge our service table.

**Mr. Stone:**

I have a question on that. In effect we are saying that none of the bonds will be used before July 1.

**Mr. Restauri:**

No, what we are saying is that the bond monies...

**Mr. Stone:**

In the City of Pittsburgh, with the financing of any project you have to put the money up front. We are not talking about completion. This is saying that you don't complete it before July 1. Assuming you complete a project on July 2, you would have had to start it before this date.

**Mr. Restauri:**

Yes, you may start it before. You just may not complete it before the date of July 1, 1981. In other words, if we float the bonds in the middle of January, 1981...

**Mr. Stone:**

I want to know if we are going to float the bonds so it is not in August of 1983.

**Mr. Restauri:**

The bonds are scheduled to be issued and sold in the middle of January, 1981.

**Mr. Stone:**

Where would you suggest that I appropriately put this part in the bill so we can get a guarantee of that?

**Mr. Restauri:**

We could certainly add it to the end.

**Mr. Stone:**

I am accepting your recommendation and language so it will be done in January, okay?

**Mr. Restauri:**

Fair enough.

**Mr. Givens:**

I have a question on that. I would hope that after December or January that the bonds would be coming back down but I also share the concern that Councilman Stone has, that we issue the bonds and the Administration waits until August to go out and actually purchase the bonds, which in time we lose a whole year of construction. Do I read you right?

**Mr. Stone:**

You have two things jumping up and down.

**Mr. Givens:**

Then you will buy the bonds by a certain time in order to give the Administration the prerogative to go out?

**Mr. Stone:**

Your difference never gets higher.

**Mr. Givens:**

If I am reading the ordinance properly they must come back to this Council and let us know what are the interest rates.

**Mr. Restauri:**

That is correct. What will happen right now — the schedule on December, or approximately at that time, the proposals from the underwriters will be brought before Council with the cost resolution. Roughly December 8th or December 10th and at that time Council has the responsibility to review the documents and authorize the issuance of sales. The resolution that comes before you is simply to authorize the preliminary steps to be taken so we can reach the proposal with the final resolution. There is roughly a month from the time Council would authorize the issuance and sales of

notes and bonds until the time the notes and bonds are closed and the money is available to the City.

**Michelle Madoff:**

Mr. President, Mr. Stone, I went to the bank today to re-invest some money in the money market for something with PNB, last week it was 11.6, today it is 11.3 and going down. Now I don't know how that affects the bond market, but the interest rates are coming down. I don't know how you determine the appropriate time, I don't think anybody has a crystal ball, I think your point is well taken, that we better do it so that we offset the inflation, the escalating cost and do it as rapidly as possible, do we have to wait until that time?

**Mr. Stone:**

No, he and I understand one another, it is just that you want to do it before that date, and it is no problem, we agree.

**Michelle Madoff:**

Before January 15th. It would have to be after '81, it will have to be into the '81 budget, is that correct?

**Mr. Stone:**

No, he is going to do it in December, but I am just saying we don't want it after that.

**Michelle Madoff:**

Well if you are going to do it in December and if the money comes down and it goes back up, why can't we do it earlier?

**Mr. Stone:**

We are only setting a deadline date, not the beginning date, the end date.

**Michelle Madoff:**

You mean you could do it tomorrow if you wanted to?

**Mr. Restauri:**

We could do it — not quite tomorrow Mrs. Madoff, we have legally a requirement concerning advertising for proposals, we could do it — right now the time schedule that we have presented to the City, December 10th as the approximate date, is the quickest we can do it while still meeting the legal requirements for advertising and the time necessary to get a rating and so forth. We do not have built into the schedule at this point any clever device because we think December 10th is going to be a better time to market the bonds than December 1st. That is the first available date given the kinds of constraints we have to deal with, that we can go to the market.

**Michelle Madoff:**

Is there any correlation between bonds going up and the market going down?

**Mr. Restauri:**

Between the non-municipal market? Theorists say there is, it really is difficult to pin down.

**Michelle Madoff:**

Just don't do it around election time, that's all, don't do it the week before they vote for Reagan or —

**Mr. Restauri:**

The first exhibit to the bond resolution stated originally that the redemption price would be 100% in the event of an optional call of bonds. Rather than deny the City at this point the flexibility of determining that it might want to structure the financing with a different redemption price, we have chosen at this point just to leave that blank and it will be filled in by the time the resolution comes before Council in December.

The exhibit by the way, is simply a form of a legal advertisement. It is designed to give Council an idea of what the adver-

tisement will look like but until the rating agencies have been consulted, until market analysis have been done, we don't know exactly what some of those blanks will be filled in as. We will again, as I said, come before Council ultimately before everything goes.

We have provided that the bonds may be insured, we have provided that the proceeds of the Capital Notes will also be floated along with the bonds and that the Capital Notes are expected to be reimbursed by federal subsidies. We have provided that the bonds may be registered on the books, not only of the City Treasurer, but also of the paying agent and we have provided that any consultants who might be hired by the underwriters, will be paid by the underwriters without additional cost to the City.

That completes the amendments which we would propose to Council at this time on both the resolutions concerning the notes and the bonds.

**Mr. Stone:**

Where do you want to insert what language you want to add?

**Mr. Restauri:**

I would think that the way for that to be done —

**Mr. Stone:**

You will provide the language?

**Mr. Restauri:**

Yes, I will provide the language —

**Mr. Stone:**

It will be there that the sale shall take place no later than January 15, 1981, or do you need the 31st?

**Mr. Restauri:**

Well, lets give us the 31st so we don't

have to squeeze too much, but I would think we are looking at the 15th.

**Mr. Stone:**

With that I move for the adoption of the amendments.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally, as amended.

Also,

Bill No. 1750

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas DiDiano Construction, Inc., in the amount of \$19,251.54 in payment for extra work performed for the benefit of the City in connection with the construction of Sheraden Library/Community Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1755

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of General Tire Service in the amount of \$20,514.49 for the emergency purchase of tires furnished to the City Garage without previous authority of law."

Which was read.

Also,

Bill No. 1756

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of PakMor Manufacturing Company in the amount of \$2,064.49 for the emergency purchase of refuse truck repair parts furnished to the City Garage without previous authority of law."

Which was read.

Also,

Bill No. 1757

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Presbyterian University Hospital in the amount of \$2,876.87 for the emergency purchase of drugs furnished to Emergency Medical Services without previous authority of law."

Which was read.

Also,

Bill No. 1758

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Oxygen Emergency Supply Company in the amount of \$10,949.50 for medical oxygen cylinders purchased by Emergency Medical Services without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1759

A Resolution entitled, "Resolution transferring the sum of \$60,000.00 from Code Account Number 1141, Salaries and Wages, Department of Supplies, to Code Account Number 1126-1, Premium Pay, Department of Supplies."

Which was read.

Mr. Stone:

On Bill No. 1759, instead of \$60,000, that should read \$30,000 from Code Account 1141, now an insertion: "and \$30,000 from Code Account No. 42-2". And then in Section 1, that would be \$30,000 from that Code Account 1141 and \$30,000 from Code Account 42-2.

We have another piece of legislation that is going through and we are going to have a contradiction unless we do this. I move for adoption.

Mr. O'Malley seconded the motion.

Mr. Stone:

Also, in accordance with Section 322 of

the Home Rule Charter, Publication and Effective Date of Legislation, I move that the effective date of Bill No. 1759 shall be October 14, 1980.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Coyne presented

No. 1825 Report of the Committee on Public Works for October 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1683

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Engineering Services in connection with the inspection of the Robert McAfee Bridge (PW 80-43).

Which was read.

Also,

Bill No. 1684

A Resolution entitled, "Resolution providing for an Agreement or Agreements for Engineering Services in connection with the steel inspection of Greenfield Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1685

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Salvucci Associates, Inc., for Inspection and Engineering Services in connection with the Murray Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1686

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Acres American Inc., for Inspection and Demolition of the Bloomfield Bridge (PW 80-17); providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation."

Which was read.

Also,

Bill No. 1687

A Resolution entitled, "Resolution providing for an Agreement or Agreements with an Engineering Consultant or Consultants for Professional Engineering Services in conjunction with land slides — various locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1688

A Resolution entitled, "Resolution further amending Resolution No. 950, approved October 25, 1979, effective October 30, 1979, as amended by Resolution No. 874, effective October 2, 1979, as amended by Resolution No. 780, effective August 22, 1979, entitled, 'Providing for a Contract or Contracts for East Liberty Study Implementation (PW 7922), and providing for the payment of the costs thereof' by amending the title and increasing the funding."

Which was read.

Also,

Bill No. 1689

A Resolution entitled, "Resolution vacating a portion of Bennett Street included between the property line of Lot 231 N 116 and Lot 231 N 114 as extended 25 feet, and the property line of Lot 231 N 114 and Lot 231 N 113 as extended 31 feet, containing approximately 700 square feet; excepting and reserving the 15 inch T.C. and 60 inch brick sewer located therein, in the Thirteenth Ward of the City of Pittsburgh".

Which was read.

Also,

Bill No. 1690

A Resolution entitled, "Resolution vacating Pine Street from Fernleaf to its Westerly Terminus, Fernleaf Street from Patterson Way to Dion Way, Patterson Way from Marengo Street to its Westerly Terminus, Seawall Way from Fernleaf Street — Marengo Street, Marengo Street from Patterson Way to Olcott Street, Latrobe Street from Fernleaf Street to Marengo Street, Dion Way from Fernleaf Street to Olcott Street, Schiller Street from Fernleaf Street to Olcott Street, Toronto Way from Vonark Way to Olcott Street, Vonark Way from Schiller Street to Mission Street, Vonark

Street from Mission Street to Nebo Street, Olcott Street from Mission Street to North Line of Nebo Street, Idaho Way from Loney Way to Mission Street, Loney Way from 21st Street to Mission Street, Olcott Street from 21st Street to Mission Street, 21st Street from the Easterly Line of Quarry Street produced to its Southerly Terminus, Patterson Way from Julia Street to Bellevue Street, Limestone Way from Esop Way to Patterson Way, Bellevue Street from Esop Way to Patterson Way, Julia Street from Esop Way to its Northerly Terminus, and Asher Street from Quarry Street to Vonark Way in the City of Pittsburgh, 16th and 17th Wards, excepting and reserving the 30 inch waterline in the Vonark Street, the 2 inch and 4 inch waterline in Pine Street and the 2 inch and 4 inch waterline in the Marengo Street."

Which was read.

Also,

Bill No. 1691

A Resolution entitled, "Resolution changing the name of Brocket Street, from Brighton Road to its westerly terminus in the Twenty Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1740

A Resolution entitled, "Resolution amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, entitled, 'Providing for a Contract or Contracts authorizing the resurfacing of various City streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurbing and other work incidental thereto, PW 80-02; and providing for the payment of costs thereof, increasing the project allocation by Eight Hundred Twenty-Five Thousand (\$825,000) Dollars."

Which was read.



**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 1826 Report of the Committee on Planning, Housing and Development for October 8, 1980, transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1722

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979 as previously amended by Resolution Nos. 504 and 635 of 1980, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to increase line item HD-80-19, 'Site Acquisition and Preparation for Assisted Housing' from \$650,000 to \$630,000; and further to create a new line item — HD-80-20 'North Side Tenants Counseling Project' (\$20,000); and further to change the title of Water Department

line item WD-80-12 'Distribution System Modernization Study' to 'Professional Engineering Consulting Services in Connection With Community Development and Other Projects'."

Which was read.

Also,

Bill No. 1503

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from 'R4' Multiple-Family Residence District to 'A1' Commercial-Residential Associated District all that certain property bounded by: 44th Street; Garden Way, the easterly boundary line of Block 49-L, Lot Numbered 246 in the Allegheny County Block and Lot System, and the southerly boundary line of Block 49-L, Lot Numbered 242 in the aforesaid System, 9th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Are any of the bills we are dealing with today have anything to do with the Ross Street Extension?

**Mr. Robinson:**

No.

**Michelle Madoff:**

I'll mention it at the end of the meeting then, okay.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mr. O'Malley	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 1827 Report of the Committee on Supplies for October 8, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1760

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment for the Department of Supplies and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Flaherty
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Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 1828 Report of the Committee on Parks and Recreation for October 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1701

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Symphony Orchestra for the acoustic and site design of a summer stage at Point State Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1702

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Public Auditorium Authority as contracting and disbursing agent for services in connection with an Art Program at the Convention Center, and providing for the payment thereof."

Which was read.

Also,

Bill No. 1703

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional

services in connection with the design of the Southside Skating Rink Roof and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1704

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with various facilities including Schenley Park Skating Rink and Frick Park Nature Center and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1705

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Universal Gym Conditioning Equipment for the Department of Parks and Recreation and for the payment thereof."

Which was read.

Also,

Bill No. 1706

A Resolution entitled, "Resolution amending Resolution No. 1229 of 1979, the 1980 Capital Budget by creating a new Capital Project (PR 80-34), Southside Skating Rink Roof Design, 4-10-01-1335-80, in the Department of Parks and Recreation and appropriating the necessary funds."

Which was read.

Also,

Bill No. 1707

A Resolution entitled, "Resolution amending Resolution No. 1229 of 1979, the 1980

Capital Budget by creating a new Capital Project (PH 80-33), Point State Park, Pittsburgh Symphony Orchestra Summer Stage Development, 4-10-01-1330-80, in the Department of Parks and Recreation and appropriating the necessary funds."

Which was read.

Also,

Bill No. 1708

A Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen facilities in an amount not to exceed \$68,500."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. O'Malley presented

No. 1829 Report of the Committee on Public Safety for October 8, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1712

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for the provision by the Department of Emergency Medical Services of Paramedics at certain student athletic events; providing for reimbursement to the City of the cost thereof; and creating a special trust fund in connection therewith."

Which was read.

**Michelle Madoff:**

On Bill No. 1712, I would like to ask Mr. Stone, is that the bill?

**Mr. Stone:**

Yes.

**Michelle Madoff:**

How do you want to deal with it?

**Mr. O'Malley:**

That's not Officer Friendly.

**Michelle Madoff:**

No, no, no.

**Mr. O'Malley:**

What do you mean how do you want to deal with it?

**Mr. Stone:**

Yes, but Mr. O'Malley has a point Michelle. Where we are now, I think he is asking for some motion on a certain bill, right?

**Michelle Madoff:**

Officer Friendly is one of the regular bills.

**Michelle Madoff:**

On 1712 we are talking about the issue of the schools, I thought it was on the finance of this bill, 1712, and you questioned it and you wanted to get some information today before we voted.

**Mr. Stone:**

I just asked Mr. O'Malley, he got it, I did not get it until just now.

**Michelle Madoff:**

It had come to you and you were to let us know, that is why I was curious.

**Mr. Stone:**

Mr. O'Malley got the copy of it and he just gave me a copy.

**The Chair:**

Wasn't the question on liability?

**Mr. Stone:**

The City Solicitor, in effect is saying that accordingly it is the opinion of the Law Department that the indemnities set forth in paragraph four of the proposed agreement would protect the City in the event of claims arising from any failure or defect in the equipment or supplies provided by the school district under paragraph three thereof and that in view of the insurance and statutes referred to the above. There would be no undue exposure to liability by reason of the provision of the services contemplated by the proposed agreement and that was signed by Mead J. Mulvihill, Jr., the City Solicitor.

**Michelle Madoff:**

Mr. Stone, in your legal opinion do you think that, that would — that somebody couldn't sue just because they said he couldn't? That doesn't sound to me like, if somebody had a defective medication or something happened that they couldn't say,

"I don't care that the City says we can't sue, I am suing anyway", I think they would have legal grounds. I don't think that is a very solid legal opinion.

**Mr. Stone:**

Well, I don't want to be second guessing him on those specific liability statutes. I think there is a better way to do it to accomplish the end though. It seems to me that we ought to be kind of leasing — no monopoly on the word there — kind of leasing our employees to the school district, from then on they are school district employees during the time that they are rendering school district work. There is a multitude of things here, he has bitten so quickly, almost as if it were a paramount issue and it is not. Relative to their equipment, the important thing is, at the time that a City employee is out there where he ordinarily is not supposed to be for the City of Pittsburgh, who is liable for his acts or omissions, is it the School District or is it the City of Pittsburgh, the way this does, the City of Pittsburgh is liable and that bothers me and as I indicated, it had before. It is not purely equipment alone, that was only one of the items that came up. He is saying, "if the School District is negligent", but there are some other things — while that employee is out there, he is doing extra work so to speak and if he does something with his vehicle while he is on that City business, if he does something there personally to somebody and while he is a City employee at that moment, that is City responsibility, I have some problems with that. The City Solicitor however, says that you are safe.

**The Chair:**

Isn't that similar to moonlighting, if you have a City Policeman, when his day is done, now patrols a supermarket or department store and lets say there is a suit there, you couldn't very well sue the City of Pittsburgh, this man is on his own time working for an independent firm and the School Board would be in the same category.

**Mr. Stone:**

Well, that is the thought I have. I think that at the moment that they are performing City of Pittsburgh School District work, they should be School District employees, and as far as the rate, they pay the same rate to that individual that the City would pay if they for that moment were his employer. Now, that is the thought that I have and there is no question we ought to try to get some help to these athletes. I can't fault the good intent. I just don't like the way it is done here, but he is telling as the City Solicitor and I don't profess to be the City Solicitor here and I haven't researched it as much as he, but at the same time if it were me I would still make that person for all intent and purposes, an employee for that moment, of the School District and not of the City of Pittsburgh.

**Michelle Madoff:**

Well, I raised the issue, how about holding it one week and see if we can do it that way? Would you move to hold it a week or is it urgent that we move on it today?

**Mr. Stone:**

They have a problem out there, Mr. Chairman what is your pleasure?

**Michelle Madoff:**

Would you want to go with it and then introduce another resolution to change it?

**Mr. O'Malley:**

I don't like the idea of the City being liable.

**Michelle Madoff:**

Well I suggest either we hold it a week, it isn't going to make that much difference, or move on it and introduce another resolution.

**Mr. Stone:**

I move to recommit the bill.

Michelle Madoff seconded the motion.

Which motion prevailed.

**The Chair:**

One question, what does that do with the football game cleanup this week?

**Mr. O'Malley:**

I am under an arrangement, the paramedics can still go out —

**Mr. Stone:**

If they are called they can go out on an emergency basis, or they have to supply themselves, someone who is a paramedic, not necessarily of the City of Pittsburgh. You know, it is one thing to assist, another to accept a liability. You know, since they have removed the City immunity, I think we have to be extremely careful at this time.

**Mr. Givens:**

I would like my remarks from last week on Bill No. 1712 to be incorporated into the minutes of this meeting.

**MR. GIVENS' REMARKS ON  
BILL NO. 1712 FROM THE MEETING  
OF WEDNESDAY, OCTOBER 8, 1980:**

Can we have a discussion on this? I can't consumingly see how we can do this with our emergency medical vehicles, the idea is nice, it's good to station them there, but our vehicles are not to be sitting at athletic events and we have emergencies on the streets in the City of Pittsburgh, or fires.

The other thing that I am also concerned about is we are adding on a new scope, a new mention of the services to the people in the city within our capacity; it's also going to require additional manpower in order to do this, do you get overtime or otherwise, could you give us how many games are being played, you know, like a season and how many hours are going to be used?

End of Mr. Givens' remarks on Bill No. 1712.

**Mr. Stone:**

I hope you have captured the thought that we have and maybe we can — you know, that might have some emergency to it, so whatever we can do to expedite a more desired result we ought to be doing that, okay? So, talk to Mead if he needs to talk more about it I am willing to talk with him and Mr. O'Malley on it.

**Michelle Madoff:**

Won't they tell us we have to have a letter from the Clerk?

**Parliamentarian:**

If Council as a body wanted an opinion, they can request it in writing.

**Mr. Stone:**

I would hope that in your infinite wisdom that you might want to talk to him about that because if we get down to a point that we have to write, I am going to refuse to write, but I thought the issue was germane enough that perhaps we ought to expedite it so I would like to appeal to your better judgment to take that to him.

**Mr. O'Malley:**

Mr. Stone, I'm not sure that is the point, I think the point is can the School District enter into a contract with the paramedics individually.

**Mr. Stone:**

No.

**Michelle Madoff:**

No, the point is, do we need to write a letter or can we do it just by sending a message.

**Mr. Stone:**

No, I'm just trying to move the issue and I don't like obstruction when we are

trying to get to a major issue. You know, it is supposed to be an emergency, let's move it, that is all. I am willing to do anything we can to expedite it and he is the Chairman, I'll work with him and with the Law Department if we can.

**Michelle Madoff:**

So that we don't wait another week and we have a message back from Mr. Mulvihill saying would you please put it in writing because I need it, would we please put it in writing?

Also,

Bill No. 1713

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of rotating fingerprint files for the Police Department and for the payment thereof."

Which was read.

Also,

Bill No. 1714

A Resolution entitled, "Resolution providing for accepting a grant from The Sears-Roebuck Foundation in the amount of Two Thousand Four Hundred Sixteen Dollars (\$2,416.00) for operation of 'Officer Friendly Program' to be conducted by the Community Relations Section of the Department of Police; providing for the creating of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

**Mr. Robinson:**

Mr. President and members of Council, if I might, as you may be aware the Pennsylvania Lupus Foundation has designated the week of October 19th through the 25th as Lupus Awareness Week and in recognition of the activities of this foundation on behalf of the many people who suffer from this disease, I have drafted a resolution and I would appreciate your indulgence in listening to it and ask your approval thereof.

**Mr. Robinson presented**

No. 1830 WHEREAS the Pennsylvania Lupus Foundation, Incorporated has a long distinguished record of public service since being chartered in October of 1973; and

WHEREAS, Mrs. John A. Baird, who herself is a discoid and systemic lupus erythematosus patient, has devoted many tireless hours to positive efforts to eradicate this dreaded disease; and

WHEREAS, the purposes of the Foundation is to promote and encourage research, enlighten the general public, to render voluntary aid and assistance for research relative to lupus erythematosus; and

WHEREAS, more than five thousand persons have been serviced by the Foundation; and

WHEREAS, thousands of women across

this great nation are the major victims of this devastating, chronic disease that attacks the connective tissues and the body's immunity system.

#### NOW, THEREFORE

BE IT RESOLVED, that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh do recognize and designate the week of October 19 through October 25, 1980 as Lupus Awareness Week throughout the City of Pittsburgh.

Which was read.

**Mr. Robinson** moved for adoption.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

I might just mention that one of our own employees within our City Government, Mr. Danny Petriegallo, who is Executive Director of our Housing Authority is one of the co-chairpersons for this effort and I think he is to be commended for that activity. Unfortunately he cannot be with us today. But there are four other people who are here who I would like to have come forward and accept this gold seal copy.

Mrs. Louis Vandergrift who is President of the Pittsburgh Chapter, Mrs. James Porch who is the Co-Chairperson with Mr. Petriegallo, Mrs. Walter Klindworth who is a volunteer and Mrs. Polly Rutherford who is a volunteer, if they would come forth and accept this and perhaps have some words for us.

**Mrs. Porch:**

In behalf of the Pittsburgh Chapter of Pennsylvania Lupus and along with my Co-Chairperson, Dan Petriegallo, we wish to thank the Councilmembers for proclaiming Lupus Awareness Week, October 19th through 25th.

**Michelle Madoff:**

Where do we make checks out?

**Mrs. Porch:**

Checks are payable to Pennsylvania Lupus Foundation, Inc., P.O. Box 315, Sewickley, PA.

**Michelle Madoff:**

Mr. Givens and I will make a contribution.

**Mrs. Porch:**

Thank you very much.

**Michelle Madoff:**

I locked him into that one.

**The Chair:**

Thank you very much ladies.

**Michelle Madoff:**

Mr. President, point of information, word has reached me that tomorrow the Mayor is going to brief City Council on the Ross Street Extension, Dravo entity. Are you aware of that sir?

**The Chair:**

No.

**Michelle Madoff:**

I spoke to the Mayor today, we had a few choice words which do not bear repeating. The word came to me from somebody in — there is a Port Authority dealing, the Port Authority, City and U.S. Steel, that at a private meeting it was stated that the only people objecting to the Ross Street Extension were myself and Mr. Stone, so I want to go on record that I am not in opposition since I helped negotiate that contract, I am for it, I want to get going with it and I want to get that tax base.



---

I'd like to find out when that meeting is tomorrow that we are being briefed on and as President of Council I thought you would know when. Does anybody know?

**The Chair:**

Mike, do you know anything about it?

**Mr. Perry:**

No.

**Michelle Madoff:**

There may be a happy ending but the Mayor said that we are being briefed tomorrow, what, does he plan to come to session while we are having our business meeting?

**The Chair:**

Unless he is going to do it at the meeting, the meeting is at 10:00, but I don't know anything about it.

**Michelle Madoff:**

Well, it would be awfully nice if you would let us know so that in case any of us had a dentist appointment we might cancel it, it might be more important to be here.

**The Chair:**

Mike, try to find out as soon as the meeting is over, okay?

**Mr. Perry:**

Yes sir.

**Mr. Stone** moved to approve the minutes of Monday, September 29, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**,

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, October 20, 1980

No. 40

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't City Clerk

Pittsburgh, Pa.

Monday, October 20, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1831 Resolution vacating portions of Tunnel Street, Center Avenue, Court Place, Sixth Avenue, Bigelow Boulevard and

Grant Street in the First Ward of the City of Pittsburgh, and providing for the conveyance of portions of Grant Street, Bigelow Boulevard and Sixth Street, excepting and reserving all utility easements in Tunnel Street; and providing for related agreements; providing for the payment of the cost thereof; and creating a special trust fund in connection therewith.

Also,

No. 1832 Resolution authorizing the City to acquire title in fee simple to certain property located in a triangular parcel of property at the intersection of Grant Street, Sixth Avenue and Bigelow Boulevard in the First Ward of the City of Pittsburgh.

Also,

No. 1833 Resolution authorizing the City to acquire title in fee simple to certain property located in the rights-of-way at Fifth and Sixth Avenue in the First Ward of the City of Pittsburgh.

Also,

No. 1834 Resolution providing for an Agreement or Agreements with Port Authority of Allegheny County for the construction of the Light Rail Transit Subway in a street or streets located in the Central Business District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only

until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1835 Resolution authorizing the reduction of the retained percentage from 10% to 3% on the "B" Program Rehabilitation of Various Street, Park Roads, with Asphaltic Concrete or other materials including regrading, etc., Sewer Construction, Water Lines, Appurtenances — Casciato Brothers Contractors, PW77-30/PW 80-32, Controller's No. 22888.

Also,

No. 1836 Resolution authorizing the issuance of a warrant in favor of J Jac Construction Company in the amount of Twenty-Three Thousand Three Hundred Thirty-Nine Dollars and Twenty (\$23,339.20) Cents in payment for Extra Work in connection with the repaving/widening of Fifth Avenue from South Highland to Penn Avenue etc., Phase II, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 1837 Resolution providing for the issuance of a permit to Edwin T. Barrett to grade, pave and maintain an unimproved portion of Newry Street from California Avenue to the dead-end in the Twenty-First Ward of the City of Pittsburgh.

Also,

No. 1838 Resolution providing for a contract or contracts for repairs to the Meadow Street Bridge, and providing for the payment of the cost thereof not to ex-

ceed \$50,000, payable from PW 80-32, 4-01-30-0001-90, Department of Public Works.

Also,

No. 1839 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Anthony Tarasi to attend Storm Water Management Seminar, Philadelphia, PA, October 29, 1980, at a cost not to exceed \$225.00 payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 1840 Resolution repealing Item (J) of Resolution No. 1024, approved 11/21/79, authorizing the sale of Lot in the 28th Ward on Norwalk Street designated as Block 40-H, Lot 40, to Robert and Annette Marshall, his wife, for the sum of \$500.00. Resolution is to return hand money to purchasers.

Also,

No. 1841 Resolution repealing Item (I) of Resolution No. 1024, approved 11/21/79, authorizing the sale of Lot in the 28th Ward on Elmont Street designated as Block 40-H, Lot 4, to Robert and Annette Marshall, his wife, for the sum of \$2,000.00. Resolution is to return hand money to purchasers.

Also,

No. 1842 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 1843 Resolution providing for the

letting of a contract or contracts for the furnishing and delivery of a Video Cassette Playback System for the Commission on Human Relations, the cost of which is not to exceed \$2,500.00, chargeable to and payable from Special Trust Fund No. 1, Equal Employment Opportunity Commission Trust Fund (EEOCTF), Human Relations Commission.

Also,

No. 1844 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting amendment of Council Bill 1649 of 1980 requesting permission for two staff members to test and inspect fire hose, Miami, Fla., September 24-27, 1980, by increasing amount from \$900 to \$1,006.92 payable from Code Account 1128, Miscellaneous Services, Department of Supplies.

Also,

No. 1845 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting permission to send one person from Bureau of Tests to inspect fire hose, Columbus, Ohio, October 23-25, 1980 at a cost not to exceed \$145.00, payable from Code Account 1128, Miscellaneous Services, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 1846 Resolution providing for the issuance of a warrant in favor of Clairton Slag, Inc., P.O. Box 10884, Pittsburgh, PA 15236 in the amount of \$494.55, chargeable to and payable from Code Account No. 1714, Materials, Department of Water.

Also,

No. 1847 Resolution transferring \$14,000.00 from Code Account No. 1700, 1795 and 1796 to Code Account 1792 within the Department of Water.

Which were read and referred to the Committee on Finance.

Also,

No. 1848 Resolution amending Resolution No. 1350, approved December 30, 1977, by adding to the title of line item WD-78-3, from "Water Related to DPW Work" to "Waterline Work Related to DPW and Commonwealth of Pennsylvania Work.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 1849 Resolution providing for a contract or contracts for the cross-country ski concession at Schenley Park.

Also,

No. 1850 Resolution providing for the letting of a contract or contracts in connection with the renovation improvements of the Children's Zoo; and providing for the payment of the cost thereof not to exceed \$40,000.00.

Also,

No. 1851 Resolution amending Resolution No. 264 to increase the allowable amount of reimbursement by DER to the City from \$150,466.00 to \$310,000.00 for the operation of the City of Pittsburgh Youth Adult Conservation Corps Project.

Also,

No. 1852 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$12,296.94 for extra work in connection with construction of Schenley Park Swimming Pool.

Also,

No. 1853 Communication from Louise R. Brown, Director, Department of Parks

and Recreation requesting interim approval of payment of \$108.00 for extra work in connection with Arlington Heights Recreation Center Renovation, Controller's Contract No. 24221-F.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 1854 Resolution transferring the total sum of \$508,000 from Code Account No. 42-2, Contingent Fund, to Code Account No. 1443-4, Premium Pay (\$500,000), and Code Account No. 1443-6, In-Grade Pay (\$8,000).

Which was read and referred to the Committee on Finance.

Also,

No. 1855 Resolution providing for a contract or contracts for the design and construction of a new Canine Training facility and the construction of an addition to the Pittsburgh Police Academy, chargeable to and payable from Police Recruit Training (PRT), Special Trust Fund No. 2, Pittsburgh National Bank.

Also,

No. 1856 Resolution providing for a contract or contracts for the construction and relocation of the Police Identification Section, located at No. 1 Police Station, First Floor of the Public Safety Building; and chargeable to and payable from C-CIISP, in an amount not to exceed \$54,000; and providing for the payment thereof.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 1857 Resolution providing for an agreement with the Allegheny Conference on Community Development as agent for the organization of a community education program in the City of Pittsburgh in co-

operation with the Pittsburgh Public Schools, the Community College of Allegheny County, the Allegheny Conference on Community Development and the Charles Stewart Mott Foundation; and providing for the payment of the cost thereof not to exceed \$10,000.00.

Also,

No. 1858 Resolution providing for an Agreement/s with consultant/s to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof not to exceed \$105,000, payable as follows: \$102,000 from CP 79-02, CDBG Citizen Participation and Information; \$3,000 from CP 80-02, CDBG Citizen Participation and Information.

Also,

No. 1859 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission to attend meeting with Pennsylvania Department of Transportation, Harrisburg, PA, October 24, 1980, at cost not to exceed \$200.00 payable from Code Account 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 1860 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Mary Reilly and Margaret Charny to attend conference entitled, Housing and Community Development: Women in the Mainstream, Bethany, W.VA., November 2-3, 1980, at a cost not to exceed \$375.00 payable from CDHDA, Administration, HD-79-08, Department of Housing.

Also,

No. 1861 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Kevin Donahue and Joseph Laffey, to attend workshop on Integrating Energy Conservation With Housing Rehabilitation, Chicago, Illinois, October 23-24, 1980, at cost not to exceed \$650.00, payable from Code Account 1376,

Travel and Educational Expenses, Bureau of Building Inspection, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 1862 Resolution providing for the issuance of a \$8,000.00 warrant in favor of William and Mary Ann Zink in full settlement of claim for property damage at 1029 E. Ohio Street due to a water main break, charging same to Code Account No. 6, Judgments.

Also,

No. 1863 Resolution providing for the issuance of a warrant to Rosemary Markham in the amount of \$3,000.00 in full settlement of claim for personal injury and providing for the payment thereof.

Also,

No. 1864 Resolution providing for the issuance of a \$20,500.00 warrant to Allegheny Cemetery in full settlement of claims for damages for waterline easement and acceptance of easement and providing for the payment thereof.

Also,

No. 1865 Communication from Mayor Caliguiri requesting permission for George Whitmer to attend Mayor's Legislative Program Meeting, Harrisburg, PA, October 23, 1980, at a cost not to exceed \$150.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 1866 Communication from Mead J. Mulvihill, City Solicitor, submitting report of summarized settlements of claims not exceeding \$750.00 for the third quarter of 1980, payable from Code Account 1081, Petty Claims.

## UNFINISHED BUSINESS

**The Chair** presented

Bill No. 1867

Communication from Mayor Caliguiri appointing Mr. Eugene P. DePasquale of 230 Meyran Avenue, Pittsburgh, PA 15213, to the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1868

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mr. Eugene P. DePasquale as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1869

Communication from Mayor Caliguiri appointing Mr. Thomas Flaherty of 5504 Kentucky Avenue, Pittsburgh, PA 15232 as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1870

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mr. Thomas Flaherty as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1871

Communication from Mayor Caliguiri appointing Mr. Richard Givens of 229 South

Pacific Avenue, Pittsburgh, PA, 15224, as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1872

A Resolution entitled, "Resolution approving the appointment of Mr. Richard Givens as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1873

Communication from Mayor Caliguiri appointing Mrs. Michelle Madoff of 2758 Mt. Royal Road, Pittsburgh, PA 15217 as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1874

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mrs. Michelle Madoff as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1875

Communication from Mayor Caliguiri appointing Mrs. Sophie Masloff of 3566 Beechwood Boulevard, Pittsburgh, PA 15217 as a member of the Community Action

Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1876

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mrs. Sophie Masloff as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1877

Communication from Mayor Caliguiri appointing Mr. James O'Malley of 312 South Braddock Avenue, Pittsburgh, PA 15221 as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1878

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mr. James O'Malley as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1879

Communication from Mayor Caliguiri appointing Mr. William Robinson of 820 Clarissa Street, Pittsburgh, PA 15219 as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.



Also,

Bill No. 1880

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mr. William Robinson as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

Also,

Bill No. 1881

Communication from Mayor Caliguiri appointing Mr. Robert Rade Stone of 2901 Sarah Street, Pittsburgh, PA 15203 as a member of the Community Action Pittsburgh Board for a term to expire in five years.

Which was read, received and filed.

Also,

Bill No. 1882

A Resolution entitled, "Resolution approving the appointment by the Mayor of Mr. Robert Rade Stone as a member of the Community Action Pittsburgh Board for a term to expire in five years."

Which was read.

**The Chair:**

Is there any discussion on the appointments?

**Michelle Madoff:**

I don't see any note of the alternates. Are we to name our alternates at this time or are we to wait on that because I want it clearly understood that I read the bill, I had my attorneys look at the bill, the bill says under law we can have alternates who can vote for us. I have chosen an alternate who has great experience with

CAP, who I think is a very fine gentleman and I plan to have him there as my alternate, I plan to attend whenever possible myself.

**The Chair:**

Are you saying you are going to attend and you are going to bring an alternate with you?

**Michelle Madoff:**

As a matter of fact, on the Air Pollution Bureau that I have sat for many years, my alternate would attend most meetings so that if I wasn't there they would know what was happening. My alternate on the Citizens Advisory Council, State of Pennsylvania for PENDER, the law would not allow them to vote. Now, the code for CAP does allow our alternates to vote.

**The Chair:**

There are a couple of things here Michelle, if you are talking about the same alternate you had before, and I don't want to get into personalities, he was one of the reasons that Dr. Kirk took the action he took and Dr. Kirk is saying if Councilmen send alternates down there he will not fund the program. Illegal or legal, I mean, he seems to have all the chips there.

**Michelle Madoff:**

Well if Dr. Kirk thinks he is going to be a tool of the Administration that is his problem. I am a duly appointed member of that body and I will appoint whoever I think is proper and I think that Mr. O'Malley and the other members of Council will do likewise. We cannot be cloned, I am sure there are a lot of places you would like to be Mr. President, you can't be at one time and the reason I chose this gentleman is that he had great experience, he is at law school now, he is very concerned about the program and probably has more knowledge than Dr. Kirk. Maybe that is what Dr. Kirk is bothered about.

**Mr. Givens:**

Mr. President, if I might make a comment here, you know I have sat here for three years, and Michelle finally got an appointment to a board or committee —

**Michelle Madoff:**

We ought to applaud.

**Mr. Givens:**

...we ought to applaud, and I would hope now that you would take that very seriously and with CAP, if one would attend the CAP meeting they will find that we have some very serious operational problems that we must work out and it really will take the cooperation of this full Council in order to help out because Community Action Pittsburgh is just not the money coming in from Philadelphia, it involves much more than that and it also involves trying to upgrade our poor neighborhoods and what is really — and why the Council people should be there is the fact that we are to use all the tools of government has at our disposal in order to upgrade our poor neighborhoods and make those the type of neighborhoods that people would like to live in, so we are looking at all of our Community Action Pittsburgh, we are looking at our CD funds, we are looking at our operational funds, we are looking at our Capital funds also to improve these particular neighborhoods and bring them up because we all well know the weakest link in the chain is the one that is going to break and that is the one we want to strengthen.

**The Chair:**

Mr. Givens I believe that most members of Council share your sentiment with the exception of perhaps a couple who find it impossible to serve. I for one will serve, it is going to be difficult but I gave my word and I will keep it. I share in what you have said that it is a very serious matter and I think we should at least make the first couple of meetings to see if we can get some input there.

**Mr. Givens:**

For those who are not informed, tomorrow night at 7:00 there is a very important meeting, so if this action here this afternoon indicates that we are all sworn in as CAP members, then it would be nice for as many Council people to attend that meeting because it is a very serious meeting tomorrow.

**Michelle Madoff:**

Who plans to be there? I plan to be there, do you plan to be there?

**Mr. Givens:**

Sure.

**Michelle Madoff:**

Mr. DePasquale do you plan to be there?

**Mrs. Masloff:**

When is it and where?

**Michelle Madoff:**

It's right here, right in this room.

**Mr. Givens:**

At 7:30 p.m.

**The Chair:**

That is very short notice and I have a previous engagement —

**Michelle Madoff:**

The point is, Mr. DePasquale, I trust your judgment, that if you find an alternate that you feel is capable and competent, who is going to work with you and report back to you, that is your prerogative and I am not going to let the Mayor usurp my prerogatives.

**The Chair:**

I don't want to argue on that point, perhaps you are 100% right, that is immaterial, who has called the meeting for tomorrow night, it is the old board? How could they call a meeting of the new board when we don't even have a new board formed? What meeting are we talking about?

**Mr. Stone:**

Mr. President, if I may, it is with a great deal of reluctance that I am agreeing to serve at this point, I had indicated that I did not want to serve. This thing has been bounced around too much and those who can least afford it are being hurt by it. I am going to serve because I want to help those people now. I think for us to get into any more lingual entanglements or attempting to play political football with some other party every time on every issue, why that might be okay as long as you are not the one being hurt, but these people are being hurt by it and I think they have been hurt long enough. It is time for us now to stand up and face our responsibility and if we have to be at that meeting to get it constituted, and if we have to be at that meeting to have them get their monies, and if we have to be at that meeting so that they can get the money through CAP to the worthy causes and sources I think we ought to do that to get it moving and if we don't want to serve at some future time then there is always the possibility of a resignation. But I think at this time it needs all of Council's support in the responsible aspect of it to get it going. We can't wait anymore for these people.

**Michelle Madoff:**

Mr. Stone, with your heavy commitments with SPRPC and your law practice, etcetra, do you plan to attend all the meetings?

**Mr. Stone:**

I'll be at as many meetings as I can

be and I will be responsible for the tiems I am there and when I am not there and I don't need you to be my conscience.

**Michelle Madoff:**

Well since you are being mine I thought it was only fair.

**The Chair:**

Is there any further discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative the appointments were approved.

**The Chair:**

Mr. Furlough, you are the present Chairman of CAP, would you please shed some light on the meeting tomorrow night?

**Mr. Furlough:**

Well first there are CAP Board meetings every third Tuesday of the month here in Council Chambers beginning promptly at 7:30 p.m. The public sector is very happy over the action of Council today and obviously the past meetings of Council, on behalf of CAP I would like to thank the members of Council for their actions today.

**The Chair:**

Thank you Mr. Furlough and as I

stated earlier, I have a previous meeting and it is just too late to call it off, if I had some prior notice I would have postponed it but there will be enough members of Council there to constitute a quorum.

## REPORTS OF COMMITTEES

Mr. Stone presented

No. 1883 Report of the Committee on Finance for October 15, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1652

A Resolution entitled, "Resolution transferring \$70,000.00 from Code Account No. 1703, Utilities, to Code Account No. 1705, Repairs and Code Account No. 1750, Chemicals." AS AMENDED IN COMMITTEE

Which was read.

Also,

Bill No. 1669

A Resolution entitled, "Resolution transferring the sum of \$20,000.00 from Code Account 1099-2, Overauthorized Salaries and Wages to Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission."

Which was read.

Also,

Bill No. 1698

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1803, Utilities, the amount of \$70,000.00 from Council's Contingent Fund to Code Account 42-2." AS AMENDED IN COMMITTEE

Which was read.

Also,

Bill No. 1700

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1800-1, Premium Pay, the amount of \$5,000.00 from Council's Contingent Fund Code Account 42-2." AS AMENDED IN COMMITTEE

Which was read.

Also,

Bill No. 1720

A Resolution entitled, "Resolution transferring Fifteen Hundred Dollars (\$1,500.00) from Code Account 42, City Council to Code Account 1838, Parks and Recreation, and authorizing an agreement with Youth City of Pittsburgh, Inc." AS AMENDED IN COMMITTEE

Which was read.

Also,

Bill No. 1776

A Resolution entitled, "Resolution amending Resolution No. 160, approved March 14, 1980, entitled, 'Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00 from Code Account 1099-2 to CETA-T.2 Trust and CETA-T.6 Trust Fund to pay for wages and fringe benefits paid to CETA participants over the authorized federal salary of \$10,000.00 per annum'."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1741

A Resolution entitled, "Resolution providing for the issuance of a warrant amounting to \$1,685.85 in payment for parts and materials without authority of law and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1742

A Resolution entitled, "Resolution transfer-

ring the amount of One Thousand Dollars (\$1,000.00) from Code Account 1633, Materials to Code Account 1631, Miscellaneous Services, both accounts within the Painting Division, Department of Public Works."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1751

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of E. H. Griffith, Inc., in the amount of \$817.41 and to Miller Safety Products in the amount of \$538.00 for supplies and equipment purchased in connection with the Summer Lot Clean Up and providing for the payment thereof."

Which was read.

Also,

Bill No. 1762

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of

Linsley Enterprises ,Inc., Parkway West, Pittsburgh, PA 15205, in the amount of \$291.55 in payment for repairs to a Bobcat Back-Hoe Loader furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1763

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Doerr Brothers, Inc., 1900 Mary Street, Pittsburgh, PA 15203, in the amount of \$330.00 in payment for Installation of Pintle Hooks on Two Department of Water Trucks, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1766

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of H. C. Harrington Company, Inc., in the amount of \$5,491.20 in payment for work performed at Schenley Park Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read .

Also,

Bill No. 1767

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$14,163.50 in payment for work performed at Broadhead-Fording Tennis Courts, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1777

A Resolution entitled, "Resolution providing for the issuance of a \$1,603.95 warrant to Carl L. and Therese DiFiore in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1778

A Resolution entitled, "Resolution providing for the issuance of a \$1,581.10 warrant in favor of Aldona A. Rajecki, c/o Howard Gilfillan, Esquire, in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 1779

A Resolution entitled, "Resolution providing for the issuance of a \$782.44 warrant to Carol Gehring in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 1780

A Resolution entitled, "Resolution providing for the issuance of \$912.18 warrant to Nationwide Insurance and Edward S. Jurczyk in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1781

A Resolution entitled, "Resolution providing for the transfer of funds in the amount of Four Thousand Dollars and No Cents (\$4,000.00) from Code Account 1024.2, Constables Warrant Fund to Code Account 1022.1, Premium Pay, Municipal Courts."

Which was read.

Also,

Bill No. 1782

A Resolution entitled, "Resolution transferring \$110,000.00 from Code Account No. 49, Reserve Fund, Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 41, Refunds, Real Estate Taxes, Department of City Treasurer."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1816

A Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the Controller to countersign a warrant in favor of the Pennsylvania Commission on Crime and Delinquency in the total amount of \$5,938.00 representing unused funds in various project."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 1817**

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$908,000 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from July 27, 1980 through August 24, 1980."

Which was read.

Also,

**Bill No. 1818**

A Resolution entitled, "Resolution transferring the aggregate sum of \$35,000.00 to Code Account No. 1005-2, Printing Municipal Record, City Clerk's Office, from the following Code Accounts: Code Account No. 1004, Newspaper Advertising, \$10,000.00 and Code Account No. 1006, Equipment, \$25,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 1884 Report of the Committee on Public Works for October 15, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1743**

A Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, entitled, 'A Resolution adopting the 1980 Capital Improvement Program' by increasing and redefining funding sources and adding new project line items."

Which was read.

Also,

**Bill No. 1744**

A Resolution entitled, "Resolution further amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, as amended by Resolution No. 189, approved March 1, 1979, as amended by Resolution No. 515, approved June 4, 1979, entitled, 'Providing for the letting of contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof, by reducing the allocation by Seven Thousand Three Hundred Thirty Five Dollars and Fourteen Cents (\$7,335.14)."

Which was read.

Also,

**Bill No. 1745**

A Resolution entitled, "Resolution amending Resolution No. 835, approved August 19, 1980, effective August 25, 1980, entitled, 'Providing for a Contract or Contracts for



the furnishing and installation of a chain link fence on the south sidewalk and approach of the E. H. Swindell Bridge over East Street, and for the payment of the cost thereof, by increasing the total allocation to Seven Thousand One Hundred (\$7,100.00) Dollars."

Which was read.

Also,

Bill No. 1746

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a self contained rock drill/breaker for the Department of Public Works and for the payment thereof."

Which was read.

Also,

Bill No. 1747

A Resolution entitled, "Resolution vacating Georgette Way from Brookdale Street to Greyfox Way, Brookdale Street from Georgette Way to Cortina Way, Deer Way from Brookdale Street to Clippert Way, Clippert Way from Georgette Way to Brookdale Street, Briggs Street from Brookdale Street to Greyfox Way, Oakridge Street from Georgette Way to Cortina Street, Daleview Street from Georgette Way to Cortina Way, Don Way from Georgette Way to Palmtown Street, Palmtown Street from Daleview Street to Brookdale Street, Cortina Street from Brookdale Street to Sunbeam Street, Breining Street from Briggs Street to Palmtown Street, Slick Way from Greyfox Way to Sunbeam Street, and Greyfox Way from Briggs Street to Cortina Street in the 32nd Ward of the City of Pittsburgh excepting and reserving the sewer lines in Brookdale Street, Clippert Way, Oakridge Street, Don Way, Daleview Street, Greyfox Way, Palmtown Street, Buck Way, Cortina Street and Slick Way and Georgette Way."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr DePasquale
Mrs. Masloff	(Pres't)

Ayes 9      Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 1885 Report of the Committee on Planning, Housing and Development for October 15, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1774

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(10) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authorization to the Reformed Presbyterian Woman's Association to construct a four-story front wing and two-story rear wing with a 40 stall parking area on property located on the southwest corner of PERRYVILLE AVENUE and BURGESS STREET and identified as Block 46-F, Lot 187 in the Allegheny County Block and Lot System and Block 46-K, Lot 294 in the aforesaid system, 26th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Michelle Madoff presented

No. 1886 Report of the Committee on Water for October 15, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1696

A Resolution entitled, "Resolution authorizing the Director of the Department of Water to grant the application of Ametek, Inc./Thermox Instruments Division, RIDC Industrial Park, O'Hara Township, Pittsburgh, PA 15238, for water supply outside the City of Pittsburgh."

Which was read.

Also,

Bill No. 1765

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for professional ser-

vices in connection with the inspection and repair of the two 72" Allegheny River Crossing Water Lines, and other work incidental thereto and providing for the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 1887 Report of the Committee on Parks and Recreation for October 15, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1768

A Resolution entitled, "Resolution further amending Resolution No. 1350 of 1978, the 1978 Capital Budget, as amended by Resolution No. 597 of 1978, by providing for an additional appropriation of \$5,660.82 for Project PR 78-05, 4-10-01-1255-78, Golf Clubhouse in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1769

A Resolution entitled, "Resolution amending Resolution No. 969 effective September 29, 1980 entitled: 'Amending Resolution No. 1229 of 1979, the 1980 Capital Budget, by providing for an additional appropriation of \$5,491.20 for Project PR 80-21, 4-10-15-0002-80, Major Repairs and Emergencies for the Department of Parks and Recreation,' by increasing the additional appropriation from \$5,491.20 to \$70,491.20."

Which was read.

Also,

Bill No. 1770

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design of Tennis Courts at Oliver High School and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1771

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for repairs at various locations including Schenley Park Skating Rink, Larimer Park, and East Liberty Park and for lighting at various recreation facilities."

Which was read.

Also,

Bill No. 1772

A Resolution entitled, "Resolution repealing Resolution No. 932, approved September 19, 1980, entitled: 'Providing for a contract or contracts for the removal of dead and

diseased trees in public rights-of-ways and parks and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1802

A Resolution entitled, "Resolution repealing Resolution No. 830, effective August 25, 1980, entitled, 'A Resolution providing for an Agreement or Agreements with Community Action Pittsburgh, Inc., for services to the Senior Meals Program and transferring the sum of \$5,000.00 from Code Account No. 42, Contingent Fund to Code Account 1838, Parks and Recreation.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

I'd just like to make one comment Mr. President, on Bill 1769, major repairs and emergencies in the Department of Parks and Recreation, the only reason I bring this out is to put it on the record that there is some \$70,000 requested here for emergency repairs and as indicated last Wednesday in the session on the Finance Committee, it was indicated that that repair was a necessary increase because of vandalism in our parks. And then I note on a bill that we have just passed, putting money into Council's Contingency Fund, Bill No. 1817 and under the Police Department I see almost over a half of a million dollars. If I can recall, one million dollars will take care of about 50 police officers and that is including fringe benefits for one whole year.

**Michelle Madoff:**

Twenty, exactly — I mean 50.

**Mr. Givens:**

So there are some twenty-five police

officers that could have been on the streets of the City of Pittsburgh that were not and the note that there was some \$70,000 worth of damages in our parks, I think one has to put the two bills together and come up with a conclusion, one that I do not like to see.

**Michelle Madoff:**

I agree with everything you said.

**Mr. Givens:**

And again, we are coming up into finance sessions in a couple of more months and we are going to be faced with that same possibility of what is happening in the City of Pittsburgh, the crime rate going up throughout the nation as well as the City of Pittsburgh, I think this Council again is going to have to sit down and face the reality of what is happening in our City.

**Michelle Madoff:**

Mr. President, you may recall that two weeks ago I had asked Superintendent Coll to be at a Post Agenda meeting to brief us on what is happening with the burglar alarm bill, because that would provide for — it has in every other community, a lowering of the number of false burglar alarms to the point where we now have something like almost 7% of our police force answering calls of which 95% are false alarms. That should release — we are talking about well over 100 men so that would at least, certainly 50 men and as Mr. Givens has stated, I think it is \$20,000 a man, we are talking about a million dollars. We didn't go ahead with that Post Agenda, it was cancelled, I cancelled it because Superintendent Coll had informed me the bill had not become law yet, I think it is, what is it 90 days or something? Now, he is to come back and brief us as to what process and what kind of computerization and what kind of billing and how the public will be notified, people like myself who have burglar alarms, how we get a permit and businesses downtown who say, "Oh you got here ten minutes before the fellows yester-

day", the police come in with drawn guns, I think we are going to see in that bill alone some police released to be out on the street. We should be briefed on it, Mike would you re-schedule that please? He said once it becomes law and I wasn't sure when that time was, if you check with him and re-schedule it at your convenience, at the President's convenience, there is no big urgency on it, but we let it go because it had not been law as yet.

**The Chair:**

I saw a death notice in the paper, a Coll who had a son named Robert, I don't know if that is the Police Superintendent's father or if it just happened to be a similarity in names out at Sampson's Funeral Home.

**Mrs. Masloff:**

He was here this morning.

**The Chair:**

It probably isn't his dad then, he is from the North Side.

**Michelle Madoff:**

What? Are you reading the death notices? You're not that old, its only when you are getting old you read the death notices, you are too young for that

**The Chair:**

That's the Italian sports page.

**Michelle Madoff:**

You keep saying that you and I are the oldest so I just wanted to get that on the record.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 1888 Report of the Committee on Lands and Buildings for October 15, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1753

Resolution amending Item (K) of Resolution No. 346, approved 4/19/79, authorizing the sale of vacant land (32nd Ward) on Bernard Street designated as Block 139-D, Lots 82 thru 87. Amendment is to delete Lot 139 D 82 and to reduce the price of sale from \$2,060.00 to \$1,700.00.

Which was read.

Also,

Bill No. 1754

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

Mr. Flaherty presented

No. 1889 WHEREAS, the Court of Common Pleas on October 17, 1980, on a preliminary injunction involving the City of Pittsburgh and two of its employees that the city height and weight requirements are "arbitrary and constitute an affront to the principles of equal protection demanded from government employees", and

WHEREAS, the same Court of Common Pleas has ruled that height and weight requirements can bear no genuine factual relation to capability when they are not enforced throughout an individual's term of employment; and

WHEREAS at present there are still several City of Pittsburgh employees that are under suspension for height and weight requirement violations.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh urges the Civil Service Commission to alter its policy of height and weight requirements for non-sedentary jobs to allow for the many and varied physical body shapes of City employees.

**BE IT FURTHER RESOLVED**, that this Council urges that it is the hope of Council that the City of Pittsburgh immediately reinstate all employees that had been terminated or suspended for height and weight requirement violations.

Which was read.

**Mr. Flaherty** moved for adoption.

**Mr. Flaherty:**

I would just like to explain certain aspects of this bill and I realize that Council addressed this issue in an earlier agenda but I feel it is especially important in light of Judge Silvestri's court ruling on Friday that the City cannot in any way prove that weight or height requirements affect a person's capability in doing a job. Prior to that ruling I had talked this matter over with the Mayor and he also was not aware of any proof that the City may possess that would show that perhaps a few pounds overweight would be a hindrance. I believe that it is important that we get these people reinstated immediately, I think the next step is these people are going to be going to court and I think they are going to have a good argument to be reimbursed for their back pay. I have a very good friend from Bloomfield who had called me up a few weeks ago, he works at the Aviary and his job is to prepare the food to feed the birds. They say he is about 20 pounds overweight and he has been out of work now for about six weeks. Earlier I had been trying to get in contact with the Personnel Office, my aide had a conversation with Michelle Cunko, her attitude is, "Well we don't know how many people we have suspended there". I have subsequently had conversations with virtually every official of AFSCME and I do agree with them that this is a gross injustice and I feel that we do have a court precedent and in the long run this could cost the City taxpayers more funds because if it comes down to that we have to reimburse these employees that are suspended for work that they are not doing now, I feel that it is to reiterate the sentiment of the majority of these members of Council

that this policy is asinine. We are the only City, large urban area, that I am aware of that has a policy of this nature. It has gone out on the UPA wire services throughout the country and I think it reflects in a very negative way on our outlook here in the City of Pittsburgh.

**The Chair:**

Tom, if I may, in regards to that being nationwide, I don't recall what City but I was on a radio talk show by phone about two days after that — some City in the midwest, so they have picked it up throughout the United States, that if the City doesn't appeal, I would imagine, I would hope that these people are going to work immediately and obviously will be paid retroactive from the day they were let go.

The other morning a resolution was proposed by you and Michelle Madoff which was then amended and presented by Councilman O'Malley and was adopted, the latter part, if that wouldn't already be covered in regards to the future as to how they handle these cases and we even talked about setting a board of some type up.

**Mr. Flaherty:**

Yes, but that would be enacted some time next year. What I am concerned about is that God knows how many people are not working now because someone in Personnel has taken a very arbitrary and personal opinion almost, saying that these people can't work. Now I say that we have a court ruling on it and I can't see why this Council can't express its sentiments in a positive light on this. I don't think we are going to be in conflict with attempting to influence any court as far as an appeal goes. I see this as just an indication to the Personnel Department and to Civil Service that we want some prompt action on this one way or the other and as of now, I know that Michelle Cunko, she is still up in the air on the thing.

**The Chair:**

Tom are we talking about two things?

You are talking about people that were working and let go and people that never went to work or put to work because of those requirements.

**Mr. Flaherty:**

Yes, there have been people that have been terminated and there is also X number of —

**The Chair:**

Those people I think we can deal with and we have no problem. I am wondering what we can do with those never hired?

**Mr. Flaherty:**

No, well, see, the purpose of the resolution is two-fold, it is to urge the Civil Service Commission to change or to strike, actually, their height and weight requirements for non-sedentary positions and it also urges the City to reinstate employees that have been terminated and also suspended. There are quite a few employees. We are not able to get from Personnel how many have been suspended and since I brought that up I would like to also have either Michelle Cunko or Melanie Smith here for a Post Agenda in regard that, as to specifically how many are under suspension on this, but the important aspect of it Mr. President, is that there are people who are being deprived of their livelihood and they have come to this Council as their last resort. I know the person in Bloomfield who feeds the birds, who is on a fairly low income, he has a family, he has children and he is frantic about this. He can't afford to hire an attorney to go to court in regard to this. I believe a precedent has been set in regard to the court ruling on Friday and I reiterate that I have had conversations with Vinnie O'Brien, who is the Executive Director here of AFSCME, and also from two of his agents from AFSCME that feel very strongly in regard to this, that it is hurting, just not the people in question, but the morale of the City employ and I personally cannot see any reasoning behind it, especially in light of the fact that the Mayor of

this City is not aware of any proof. I mean, how can you go into court and prove that this person isn't going to be able to do a job because he or she is a few pounds overweight.

**Michelle;Madff:**

Where is the Mayor on this why doesn't he move?

**Mr. Flaherty:**

I don't believe, as Judge Silvestri said, they don't have this evidence and I can't see how they would go about in the beginning, of even trying to collect this kind of evidence.

**The Chair:**

Can we have a second on the motion and then we will continue discussion.

**Michelle Madoff:**

I second the motion.

**Mr. Stone:**

If I may, Judge Silvestri is a trial judge, there is still the possibility of appeal on this matter, but I would like to resolve it and deal only with that which was resolved and I would like to make the following suggestion to the maker of the motion. I would suggest that since the Judge ruled on those individuals that are involved, that for the moment, that we eliminate the first "resolved" and I would offer the following amendment to to the second:

"Resolved that this Council urges that it is the hope of Council that the City of Pittsburgh cease any further legal appeal in this matter"

and then continue on, "immediately reinstate all employees that have been terminated or suspended for height or weight requirement violations". Leaving off the first "Resolved" and picking up that amendment. You are only dealing with the specific.

Where you get into difficulty is where you are taking a specific and trying to make a generalization out of it. I think you should deal only with what he ruled on and as far as I am concerned we've got a decision, we shouldn't lose it with any further legal action.

**Mr. Flaherty:**

I can agree overall on that Bob, that you want to strike the first "Resolved"—

**Mr. Stone:**

Strike the first "Resolved", and then after the word "City of Pittsburgh", add, "cease any further legal appeal on this matter; and" and then pick up the balance.

**Mr. Flaherty:**

"And immediately reinstate all employees that have been terminated or suspended" — well, I agree with that.

**Michelle Madoff:**

I would support that. That is an amendment?

**Mr. Stone:**

That is my motion for amendment, if you agree to amend your resolution, you can, do you agree to that amendment?

**Mr. Flaherty:**

Yes.

**Mr. Stone:**

I move for the amendment.

**Michelle Madoff:**

I second the motion.

**Mr. O'Malley:**

That part bothers me — "immediately reinstate all city employees that have been

terminated". It would seem to me that there may be some city employees in this group of people where their job would be too arduous for their height and their weight. For example, as a police officer could we have —

**Mr. Flaherty:**

We are talking non-sedentary jobs, we are excluding police and fire.

**Michelle Madoff:**

Is that in the bill?

**Mr. Stone:**

No, the way the resolution reads now Jim, it covers those employees —

**Mr. O'Malley:**

It says all employees suspended for height and weight requirements, it doesn't say anything about police or firemen Tom.

**Mr. Flaherty:**

I referred to, earlier — where is it — in regard to non-sedentary employees.

**Michelle Madoff:**

Police and firemen, they are not non-sedentary.

**Mr. Flaherty:**

Okay, since we have amended it and we have stricken the first "Resolved" clause, I would like to further amend it to take the application or adjective, "non-sedentary jobs", and amend the second "Resolved" so it would read, "Be it further resolved that this Council urges that is is the hope of Council that the City not appeal this ruling and that the City of Pittsburgh immediately reinstate all non-sedentary employees that have been terminated or suspended for height and weight requirement violations".

**Michelle Madoff** seconded the motion.



**Mr. Stone:**

Judge Silvestri made a decision, anyone who got suspended or laid off because of his decision, that is who they mean by "all employees", so you are getting the same thing, but to go into the total overall picture I think that needs a little better look and I think Mr. O'Malley is making a valid point here. There may be some people that we are not aware of where there are some problems and that is the reason I made this suggested amendment. Cover that which is a clean issue, that decision was before the Judge, the Judge made a decision, so anyone who was suspended or laid off because of that issue that the Judge resolved, those would be — it only applies to them —

**Mr. Flaherty:**

It only applies to those two — well, you said you wanted to strike the first "Resolved" Bob and now you are saying that it only applies to those two employees, well, I am saying this Council should have some compassion for the person who can't afford to hire an attorney. All this is is a recommendation to Personnel and I think this Council should have enough heart to consider, for example, the person who contacted me that works in the Aviary and because he is 20 pounds overweight, they say he can't prepare the food to feed the birds.

**Michelle Madoff:**

That's for the birds.

**Mr. Stone:**

If I may for a moment, you are talking about Judge Silvestri's decision and I think that we ought to first of all, as you are doing, I think that is right, urge them not to take an appeal and put those people back. You are going now into a second area and it is kind of grey yet because we don't have the specifics reports —

**Michelle Madoff:**

It's not grey to me it is perfectly clear to me.

**Mr. Stone:**

...and in view of that I think we ought to have more information, I am not saying that we shouldn't address that at some future time, I am just saying that we shouldn't mix the two at this point because somewhere along the line, and Mr. O'Malley is offering, what I think is a valid point — you may be saying too much in what you are doing and then defeat the good that you have.

**Michelle Madoff:**

I like the resolution, I call for the vote.

**Mr. Flaherty:**

I can't see how we are going to hurt someone by accepting this resolution.

**Mr. Stone:**

Yes, but you are saying to reinstate everybody without knowing why some people are off. That is the problem.

**Mr. Flaherty:**

No, no, I said people who are off because of height and weight requirements and I am saying that we are the only urban metropolitan area in this country that employs this kind of standard.

**Mr. Stone:**

Yes, but I don't know all the instances for which everybody is off —

**Michelle Madoff:**

He didn't say everybody, he said height and weight.

**Mr. Stone:**

I don't know of all the instances that anyone of off, as a general thing I might agree with you, but I don't know all the specific instances and therefore I wouldn't like to cover everything with a blanket

decision. Now you might be on the right track and I am not disputing that.

**Michelle Madoff:**

Excuse me, are you introducing this as an ordinance or a resolution?

**Mr. Flaherty:**

I am introducing this as a resolution —

**Michelle Madoff:**

Which is not legally binding, it is the will of Council —

**Mr. Flaherty:**

...and I have required of Michelle Cunko the number of people that are suspended and she said she doesn't know. Now, if this Council is going to start to let Michelle Cunko indirectly or directly impinge upon its actions, then that can rest upon your shoulders. I mean I am not going to go along with that attitude and I think Michelle Cunko, I hope that she does provide this information at the Post Agenda on Wednesday. I don't see any harm because this isn't binding, it is just urging.

**Michelle Madoff:**

It is showing the will of Council.

**The Chair:**

I think we may be able to clear the air here to this extent. I see what Councilman Stone and Councilman O'Malley are driving at and I have to agree with them with one exception, according to the paper, if I read correctly, that one of the people reinstated is 400 pounds —

**Mr. Flaherty:**

No.

**The Chair:**

Yes, from the Refuse Department, it

was in there, and if this gentleman is being reinstated then what you are saying makes a lot of sense, if we are going to reinstate a 400 pound guy from the Refuse Department —

**Mr. Flaherty:**

"Jeep", I saw, I believe it was 292 pounds, is there anyone else who has seen 400 pounds, I don't believe he —

**Michelle Madoff:**

I think he has been scheduled to go on a regular diet and it is part of the reinstatement program, he is being ordered to lose so much weight.

**The Chair:**

Rather than get hung up all day on this —

**Michelle Madoff:**

Well the intent is all we are voting on, we are voting on fair play and equity.

**The Chair:**

Well, Michelle, if it can help I am willing to go along with it and I think the majority of Council —

**Mr. O'Malley:**

I'd just like to say that I think we all agree with Tom Flaherty that there may be some people who were abused by this ordinance, who are out of work, but there again, I think Council showed its good faith three or four weeks ago when we passed an ordinance and a resolution that we were going to set up a board of medical experts to determine this on a case by case.

**Mr. Flaherty:**

Yes, but this Council was not aware at the time that there were people being wholesaley suspended either. This has just

come as — well, I was not aware of it and I don't know if anyone else on Council is, because this is information that has just been made public I would say in the past week. Now, as I said, who knows how many people are being deprived of their livelihood in positions such as bird feeder at the Aviary? I think it is petty and I think this Council should have more heart.

**Mr. O'Malley:**

Well, this Council has a right to know that.

**Michelle Madoff:**

Why don't we just solve it simply by having both resolutions dovetailed? I mean, what you introduced and amending my bill which I have accepted wholeheartedly, I wasn't married to my words, just that we were going to set up a board to review it, that can dovetail with the fact that we say, "Hire them now, you can still review it", you still have a committee to review it, get those people back to work.

**The Chair:**

Is there any further discussion on the resolution, as amended?

**Mr. Flaherty:**

I need some clarification — the way it reads, now I know that Councilman Stone has one interpretation, but the way the resolution reads, says that all non-sedentary employees that have been terminated or suspended. Now is that it?

**Michelle Madoff:**

That's right.

**Mr. Givens:**

I vote aye on this particular resolution, but I also want the intent of my remarks on this particular meeting to be such that

I strongly believe in some type of guidance on weight limitations and we say no, not the police and the fire, well what in the hell makes the police and the fireman's job any different than some cases in labor that might be in the trenches out there in the Water Department or the Department of Public Works and what is the difference with somebody in Parks and Recreation that must take care and maintain the ball-fields of the City of Pittsburgh. I think the weight and height is a good guideline for us to use. When a person is not capable of performing their task then I think something must be done about these particular individuals. I think it is asinine to sit here and think we should have a 400 pound person or a 79 pound person working in the City of Pittsburgh because they are going to be subject, as medical journals will so indicate to you, to many diseases that the average person is not susceptible to or subject to, so I say yes on this resolution with the intent that the height and weight be a guideline for the City of Pittsburgh to use and that our employees try to maintain a mean and lean attitude on their weight control.

**Michelle Madoff:**

Mr. President, if anybody thinks the City and Council, when we do battle doesn't do damage to the heart and wear and tear on the body, may I point out that I am underweight and Mr. Stone is overweight and if that rule is going to apply to everybody, maybe it ought to apply to us too, this is an asinine bill and I vote aye.

**Mr. Stone:**

The difference is one is blooming, that is me, and you believe it.

**Michelle Madoff:**

You are blooming? Are you sprouting?

**Mrs. Masloff:**

What are we voting on?

**The Chair:**

We are voting on the elephant man, can he work for the City of Pittsburgh?

**Mr. Stone:**

Mr. President, I would just like to correct the record here if I may, the only amendment that has been here so far, because the second one Mr. Flaherty suggested was not seconded and approved, the only thing that was there was number one without and number two was in with that change.

**The Chair:**

Madoff quickly seconded and it was included.

**Michelle Madoff:**

You assumed it was all right, you did sir. You nodded your head, we thought you meant yes, it was your amendment.

**The Chair:**

Rather than there be any more confusion, let's again vote on that second amendment. Would you read the second amendment Mr. Clerk? Mr. Flaherty would you read the second amendment? There was just a word or two added to the first amendment.

**Mr. Flaherty:**

Well, perhaps I'll attempt to clarify it.

**The Chair:**

I think the word sedentary was the word that was added after Mr. O'Malley amended it.

**Mr. Flaherty:**

Okay, the first amendment scratched out the first "Resolved" —

**The Chair:**

Why don't we do it this way, why don't we make it all one amendment because it was only a word that was different.

**Mr. Flaherty:**

Fine.

**The Chair:**

Make it all one amendment and we will vote on the amendment.

**Mr. Flaherty:**

Okay, then we would scratch out the first "Resolved" and we would amend the second so that it would read:

"This Council urges that it is the hope of Council that the City of Pittsburgh cease any further legal appeal on this matter and immediately reinstate all non-sedentary employees that have been terminated or suspended for height and weight requirement violations."

**Mrs. Masloff:**

We are talking only about these people who have been fired, okay.

Mrs. Masloff seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I have gone from 105 to 104 pounds during this conversion, I will vote aye.

**Mr. O'Malley:**

I would like my resolution included, the resolution we put out to have a board of medical experts.

**Michelle Madoff:**

That is a separate resolution that is already passed, it is already done.

**Mr. O'Malley:**

I would still like to have it included.

**MR. O'MALLEY'S RESOLUTION OF  
SEPTEMBER 8, 1980 (No. 874)**

WHEREAS, Pittsburgh City Council supports the Civil Service Commission's interest in obtaining the best qualified individuals for each job in the City of Pittsburgh; and

WHEREAS, certain medical and physical conditions may appear to have adverse impact on particular groups of people; and

WHEREAS, City Council desires to avoid discrimination or adverse impact when it is not job related,

**NOW, THEREFORE**

**BE IT RESOLVED**, that Pittsburgh City Council will create a special code account in the 1981 budget and appropriate funds to enable the Civil Service Commission to employ and/or retain the services of experts in the field of occupational health and medicine to review the current physical standard for arduous and non-sedentary jobs and to determine the job relatedness of those medical and/or physical standards.

End of Mr. O'Malley's Resolution.

**The Chair:**

At the risk of Michelle saying I want to get this meeting over to go to the Raider/Steeler game which is at nine o'clock —

**Michelle Madoff:**

Are you taking me?

**The Chair:**

I hope we don't take as long as the others, I just wanted to add one comment and I don't mean to amend the bill any further, I stated when we previously talked about it, we neglected to mention, although

we did say that the board, if it is ever formed, will take this into consideration, we are talking about diseases that some people have been held off the force for, or the City, and I am talking about high blood pressure, diabetes and stuff like that and doctors say that these people can work like anyone else and obviously if they take the proper medication they don't figure to have a recurrence or an attack, but so far they are ruling them out under Civil Service regulations.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

**Michelle Madoff presented**

No. 1890 WHEREAS, on October 3, 1980, four people were killed and several seriously injured by a bomb placed near a Jewish temple in France; and

WHEREAS, in the last three months France has experienced a mounting campaign of graffiti with anti-Jewish slogans, anti-Semitic tracts, and threatening letters sent to Jews; and

WHEREAS, this rise in anti-Semitism arouses a painful echo in Jewish communities throughout the world, recalling the persecutions, deportations and massacres sys-

tematically practiced by the Hitler regime; and

WHEREAS, on October 7, 1980, 100,000 people in Paris stopped work and marched in protest against this bombing,

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby join forces with the 100,000 marchers in extending sympathy to the Jews in this tragic situation.

BE IT FURTHER RESOLVED, that this Council urges all citizens who profess any love for life and freedom to reject with utmost resolution the thoughts and the deeds that are contributing to this rise in anti-Semitism.

Which was read.

Michelle Madoff moved for adoption.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

I would like to comment if I may, there is an article in this morning's paper called anti-Klan rally to draw City busloads. There is going to be a busload of inter-racial, inter-faith groups, about 200 persons at the moment, from Pittsburgh, sponsored by the anti-Klu Klux Klan rally Saturday in Uniontown, Fayette County. It goes on to say where the bus is leaving from and I will see that Councilmembers get copies and we can have it for the record, I will get copies for the record, but the comment I think is pertinent to us is, "We want to give them, (the Klansmen) the message early in case they decide to move into Pittsburgh", said the Reverend Manuel Dillingham, Pastor of Mt. Arratt Baptist Church, and I would like people to know that if they want to join and they want to go to that rally I will see that you all get copies if you want to join it.

The Chair:

That was exactly my comments, I would have liked it if you would have included the Klan and the Nazi marchers also in there, the thing in the Klan grouping or march that really amazed me was the party that is renting a farm to these people, stated that she rents it on occasions to boy scouts and church groups and she equates them with the Klan, that they are no different and she also says that they are nice boys and all they are going to do is burn crosses on the lawn.

Michelle Madoff:

They are going to have a rally and cross burning ceremony Saturday evening on a 300 acre farm on Rt. 119, three miles north of Point Marion.

The Chair:

She is either very naive or — we are all quite aware of the Nazi thing in Skokie, Illinois, I think we had one here recently that was a bust, so lets hope that this trend continues.

Mr. Stone:

As a Post Agenda item, not this Wednesday, but the following Wednesday, all those individuals in connection with the emergency number 911, again, it has come to my attention, the responses that vary depending on the area in the City of Pittsburgh that makes the calls, and there is some breakdown and we have had some rather severe consequences and I would like to investigate that further.

Michelle Madoff:

Mr. President, in line with same type of resolution that Mr. Stone has asked, I would like to have either a hearing or a Post Agenda meeting and I have already spoken with Mr. Perry about it he might refresh my memory, where Mr. McNamara, Mr. Coll, whoever is in charge of fingerprinting at the Police Department, I have

had five calls from neighbors about robberies where either the fingerprints weren't taken, or if they were taken they were told, "We don't do anything with them, we wait and see if we pick somebody up and see if they match the fingerprints" instead of putting them into a computer. I think it would be interesting for us to pursue it because I checked with the Police Department and they tell me they just don't have the money to do the job and I would appreciate some help from Mr. O'Malley, I know he will give it. Could we schedule that?

Another item Mr. President, you know the minutes came out today on the Tax Abatement issue, I want to point out to Council and perhaps we can get a letter out, I realize they don't think the City's business is important when I raise it because it is always political of course, according to Mr. Stone, but I have spoken with a number of our State Representatives — we are hampered in giving abatements by the Enabling Act. The Enabling Act says it must be uniform, in other words if we agreed on three years or five years or ten years, everybody has to get the same thing.

Tom Murphy is reviewing — Representative Murphy, is reviewing the Enabling Act to see if we can amend the Enabling Act so that when I pointed out that my concern was not Oxford or PPG or what have we got going — the Dravo Buildings, because they are not even going to be out of the ground in time to really get anything out of it, we don't need a tag day for them. My concern was having the 45 pieces of land suitable for commercial development in the City that are giving up nothing right now. They are giving up zilch. Perhaps somebody would come in and build a hoola hoop plant, or put a Johnson & Johnson Plant as I saw in Puerto Rico or something else that would generate revenue, and to attract them, perhaps we have to give the full ten years and maybe in some cases we would give five, but that was the intent of the abatements that I am concerned about and I would like to point out to Council that is going on and perhaps in your dealings with the Representatives of

the Legislature Mr. DePasquale, you might want to follow through on that, because you had the meeting in your office with the people from Detroit, and you know they talk about 12 years and if somebody moves out in three, well they have to pay back the money, but we need some kind of flexibility.

#### **The Chair:**

You're right.

#### **Mr. Givens:**

I have one point — a letter from the Chief Clerk to the Personnel and Civil Service Commission and also to Melanie Smith and Michelle Cunko and the subject would be denial of people's ten points veterans' preference again because the person did not have an original DD Form 214 and my investigation into the one particular case and I'm sure there are other people affected by this, he has been denied his ten point veterans' preference, he would have been called on the Fire Department at this time, this happened back in 1978 but the case is more involved than that and deeper, if you or anyone who had served in the country would write to St. Louis for their DD Form 214, they would not get an original, they would get a copy. The City says you must have an original when applying for any job in the City and this individual did re-apply for his DD Form 214, and he received a copy, just like all of us have received a copy. When I retired from the military, I do have an original DD Form 214, a lot of people apparently do not and this individual was denied being hired by the City of Pittsburgh because of this and when he wrote to St. Louis and they sent him back a duplicate copy again, I wonder how Civil Service can prove or disprove whether a person has a verified copy or not and it is something that is affecting our police and firemen's roster as the new hires to the City of Pittsburgh, so Mike, that would be not this coming Wednesday, but I think it is the 29th of October, and if they would provide, in your response to this letter, the number of individuals who have been

affected by this at least on our current list posted within the Civil Service, meaning the police and the firemens list or any other list that they might have up where there are more than one or two people being hired.

**Michelle Madoff:**

Mr. President, I had discussed with Mr. Stone during the earlier part of the meeting, an item that came to my attention that blew my mind, you know that a number of us requested that we be put on SPRPC's mailing list, I used to serve on one of their sub-committees, and I was looking at it last night in bed and fell out of bed, because, it was a letter that said, look at the letter response to Mr. Stone, and Mr. Stone is concerned about AHOP, I believe that stands for Action Housing Opportunity Plans and I just asked him, could I have a copy of the letter that you wrote that you got a response to and I said did I understand and he said yes I did, that he is concerned about small communities, I presume he means Braddock or

Clairton or some of the other small communities as a representative of SPRPC, but I think that is a direct conflict with being the Finance Chairman for the City of Pittsburgh because frankly I am very chauvinistic, I want the suburbanites to pay their fair share and I want Mr. Stone to address his attention to being the Chairman and the Finance Chairman, to worry about Pittsburgh before he worries about the suburbs and I think we should all get copies of that letter, his original letter and the answers and would the Clerk please see that we all get them.

**Mr. Flaherty** moved to approve the minutes of Monday, October 6, 1980.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Flaherty**

Council adjourned.



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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXIV

Monday, October 27, 1980

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### Municipal Record

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#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday, October 27, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Before we dispense with our business, we do have a distinguished guest here this afternoon who would like to address Council, it is in respect to a telegram that the gentleman sent us over the weekend, I refer

to the esteemed President of the NAACP, Harvey Adams, Harvey would you step up to the microphone please?

#### Harvey Adams:

Thank you very much Honorable President of Council and to your distinguished colleagues I thank you for allowing me this opportunity to address you on the telegram you received over the weekend.

There was much concern in my community about the interaction between the coalition seeking to set public policy with U.S. Steel surrounding the involvement of minorities in the construction of the U.S. Steel Dravo Building. It seemed that we were at some type of impasse and we knew that if we could illicit the support of your good offices that we would be able to get to the table and resolve the impasse. It would seem that the Mayor has interacted with U.S. Steel, with one Mr. Roderick, the Chairman of the Board, who we know from past experiences is an honorable person, his word has been very good in the past as has the Mayor's word on the few times we have interacted with him. He has given us reason to believe through the offices of Mr. Roderick in conversations that he personally has had with him, that Mr. Roderick and U.S. Steel are willing to accept their corporate responsibility and sign an agreement with the coalition around the utilization of M.B.E.'s in the construction.

At this point we have no reason not to believe that this is not going to be a feat accomplished when we meet tomorrow, if it is not, we will certainly come back to Coun-

cil and report that as we are reporting the confidence we have in the Mayor and in Mr. Roderick. It seemed that one of the impasses was the misunderstanding that they had to use a group as consultants. I am saying very publicly that that is not a condition of signing an agreement, they have the right to in-house that work, or to, if they decide to contract they have that right to do that just as freely as they would anything else, we would strongly urge them to take a look at the credentials of the agency because we would recommend that group as one who has a superior track record in bringing together prime contractors and minority subs. They have taken the Port Authority from 3% to 17% in a period of two years, so they know what they are doing, but again, that is entirely up to U.S. Steel or any other developer, who they use as consultants, so that is not a condition. With that out of the way and with the brief conversation I had with Mr. Horne here in the chambers today I feel that it will be a feat accomplished tomorrow and we certainly appreciate your courtesy and your interest in seeing that there is room in the Renaissance for all people.

**The Chair:**

Thank you Mr. Adams.

**Mr. Stone:**

I would just like the speaker to know that in the event that we pass it today and there are problems tomorrow you can't come back to this Council, we will have passed it finally if we pass it today.

**Mr. Adams:**

I understand and certainly it is a very risky business but nonetheless, from previous experience with the Honorable Richard Caliguiri —

**Mr. Stone:**

I'm only taking you at your word, you had indicated —

**Mr. Adams:**

Yes, and I am taking them at their word and Mr. Roderick.

**Mr. Stone:**

The issue would be moot if you came back tomorrow.

**Mr. Adams:**

I appreciate your concern. U.S. Steel is going to be around a long time, I hope, they will come before your honorable body again and again.

**The Chair:**

I think they will keep their word Harvey.

**Mr. Adams:**

I do too, one other thing, and it is not in passing, and it should have been the first agenda item, in further talks with the Mayor and in talking with your colleague, Councilman Robinson, it is our understanding in the community that the Mayor and Mr. Robinson are interacting on a public policy that will be initiated by the City of Pittsburgh on the Administrative side and we are certainly urging you as a Council to pass appropriate legislation which would complement whatever Mr. Robinson, as your colleague and certainly a tremendous representative of MBE's, can come up with. Thank you very much.

**Michelle Madoff:**

That is Minority Builders I take it, MBE?

**Mr. Adams:**

The Minority Business Enterprise package. Thank you very much.

**Michelle Madoff:**

Mr. President, I would like to com-

pliment Mr. Harvey Adams on something that most people are not aware of. A little private matter took place that only he and I and a couple of people are aware of with the minority builders and I am very proud to report that Mr. Harvey Adams feels that everybody should be treated the same, that if you do a job you should do a job well or you should not be on the job and he interacted in a very commendable fashion and I have always held him in high regard, but I hold him in even higher esteem now. Also, with reference to the vote as to why we would want to vote today in addition to the minority factor, there is a financial factor to be concerned, as you know, I stated previously that I have been involved since January when I called Mr. Lurcott from the hospital and heard there was a problem with the Interlude and didn't even know what the Interlude was, I had never been there, and what did that mean and we couldn't build, and I got the report from the private consultants as to the street and the alignments and was concerned about it as was Mr. Stone but followed it since that time, there has now been some kind of problem in financing, as one of my business — something that is pertaining to the City, a corporation tried to buy a building recently and tried not to close on it because they thought mortgage rates were going to go down, fortunately they were forced to close and mortgage rates went up. I think there are some problems that U.S. Steel is having in financial resolutions which are pertinent that we decide immediately and will affect their input and I think we might want to hear from Mr. Charles Horn if it is the wish of Council or the President to hear from him.

**The Chair:**

No Michelle, with all due respect for Mr. Horn, I think if he cares to remain, we can listen to him at the end of the meeting.

**Michelle Madoff:**

Listen, I have been fighting with U.S. Steel for ten years, I am so glad to be able to support them on something.

**The Chair:**

Good, we all are.

**PRESENTATIONS**

**Mr. Coyne presented**

No. 1891 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of litter cans with galvanized inner liners, the cost of which is not to exceed \$10,875.00 chargeable to and payable from Code Account No. 1612-2, Equipment, Department of Public Works.

Which was read and referred to the Committee on Supplies.

**Mr. Coyne** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 1892 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission to pay travel expenses incurred by former Public Works Director John E. Ruff in traveling from Melbourne, Fla., to Pittsburgh to testify on behalf of the City in a lawsuit brought by a former employee, Henry Myslewic. Mr. Ruff's presence is required November 12-15, 1980 and the estimated cost will not exceed \$900.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Which was read and referred to the Committee on Public Works.

**Mr. Coyne** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day follow-

ing the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 1893 Resolution repealing Resolution No. 875, approved 9/16/80, effective 9/19/80, entitled, "Amending Resolution No. 87, approved 2/22/80, effective 2/23/80, entitled, 'A Resolution providing for the issuance of a warrant in favor of Boquet Construction Company in the amount of \$6,123.00 in payment for Extra Work furnished for the benefit of the City in connection with the Sidewalk Construction, Various Locations and other work incidental thereto'."

Also,

No. 189 Resolution transferring \$360,000.00 from Contingent Fund No. 42-2 to Code Account No. 1167, Wages, Regular Employees, Department of Environmental Services.

Which were read and referred to the Committee on Finance.

Also,

No. 1895 Resolution granting unto the National Valve and Manufacturing Company, 158 49th Street, Pittsburgh, PA 15201, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense a concrete drive on a portion of the street in Spring Way in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1896 Resolution granting unto Allegheny County Steam Heating Company the privilege and license to construct, maintain and use at its own expense a 12" gas-line with locked shutoff valve, protected by (4) 6" concrete filled steel posts on side-

walk of Etna Street in the 2nd Ward of the City of Pittsburgh.

Also,

No. 1897 Resolution granting unto Bell Telephone Company, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense a Bell Telephone Utility Cabinet behind the sidewalk portion of the various agreed upon locations in the City of Pittsburgh.

Also,

No. 1898 Resolution accepting dedication of Old Oak Court as shown and dedicated on the High Oak Court Plan of Lots in the 20th Ward of the City of Pittsburgh by Eugene and Mary Louise Romali for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks establishing the grade and accepting the grading, paving, curbing and sewerage thereof.

Also,

No. 1899 Resolution amending the title and Section 1 of Resolution No. 940 approved September 19, 1980, effective September 26, 1980, entitled, "Authorizing the Director of the Department of Public Works to issue a permit to South Side Hospital to grade and fill the unimproved portion of Edwards Way from 21st Street to 22nd Street at the vacated portion of Edwards Way in the 16th Ward of the City of Pittsburgh.

Also,

No. 1900 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$72,000 for extra and additional work in connection with Gallupe Drive Sewer Reconstruction Project.

Also,

No. 1901 Communication from Louis

Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$79,000, for extra work in connection with rehabilitation of Herron Avenue.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 1902 Communication from Harold West, Director, Department of Lands and Buildings requesting interim approval to engage the services of a mechanical engineer and to secure informal quotes for emergency repairs at No. 53 Engine and Truck Company, Orchlee Street, 27th Ward, cost not to exceed \$30,000.00.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Flaherty** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

Also,

No. 1903 Resolution transferring \$33,000 from Code Account 42-2, Contingent Fund to Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 1904 Resolution amending Item (J) of Resolution No. 879, approved 10/2/79, authorizing the sale of vacant land on Hunt Street, 29th Ward, designated as Block 21-P, Lots 209-210-211, to Carl F. Wiedenhofer, for the sum of \$600.00.

Amendment is to delete lot 21-P-210 and reduce sale price to \$400.00.

Also,

No. 1905 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. P.L. 787 of 1937, as amended.

Also,

No. 1906 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 1907 Communication from Harold West, Director of the Department of Lands and Buildings, requesting interim approval of payment of the aggregate sum of \$17,270.28 for emergency repairs to HVAC Systems at various locations.

Which were severally read and referred to the Committee on Lands and Buildings.

**Michelle Madoff presented**

No. 1908 Resolution authorizing the Mayor and the Director of the Department of Water to enter into an agreement with the Commonwealth of Pennsylvania for reconstruction of certain water facilities, cost not to exceed \$1,815.00, chargeable to and payable from the 1978 C.B.A. No. WD-78-3 (4-05-20-1175-78).

Also,

No. 1909 Resolution amending Resolution No. 736 of 1980, approved July 28, 1980, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of iron plates for the Department of Water, and for the payment thereof" by increasing the amount from \$13,180.00 to \$16,481.70.

Also,

No. 1910 Resolution providing for a contract or contracts for the Installation of a cover on the McNaugher Reservoir at a cost not to exceed \$150,000.00, chargeable to and payable from the 1977 Capital Budget Account WD-77-1, (4-05-02-0990-77).

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 1911 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation in the amount of \$2,828.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 1912 Resolution authorizing the issuance of a warrant in favor of Allison Park Landscape Contractors in the amount of \$1,300.00 in payment for work performed at Marmaduke Playground, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Also,

No. 1913 Resolution transferring \$7,000.00 from Code Account 1859 to Code Account 1857, all within the Zoological Park Commission.

Also,

No. 1914 Resolution transferring \$5,000.00 from Code Account 1859-1 to Code Account 1851-1, all within the Zoological Park Commission.

Which were severally read and referred to the Committee on Finance.

Also,

No. 1915 Resolution providing for an

Agreement or Agreements for architectural, engineering or other professional services in connection with the lighting design and installation of existing portable fixtures for the 1980 Fall Flower Show at Phipps Conservatory and providing for the payment of the cost thereof.

Also,

No. 1916 Resolution providing for a contract or contracts for the lighting of various parks, tennis courts and recreation facilities and for security lighting; and providing for the payment of the cost thereof not to exceed \$69,231.53.

Also,

No. 1917 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$5,660.82 for extra work in connection with General Schenley Park Golf Clubhouse Renovation, PR78-05.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 1918 Resolution providing for the issuance of a warrant in favor of Transitional Services, Inc., located at 59 Penn Circle West, Pittsburgh, Pennsylvania 15206, in the amount of One Thousand Five Hundred Thirty-six Dollars (\$1,536.00) in payment for services rendered from October 1-31, 1971 by said Agency in connection with a Transitional Service Project.

Which was read and referred to the Committee on Finance.

Also,

No. 1919 Resolution amending Section 1 of Resolution No. 1019, effective November 21, 1979, providing for an Agreement or Agreements with the East Liberty Development, Incorporated, a non-profit organization located at 124 South Highland Mall, for the purpose of executing and

adminstrating a Community Revitalization Program for the East Liberty Mall Area, so as to increase the amount allocated from an amount not to exceed \$50,600.00 to an amount not to exceed \$61,298.73.

Also,

No. 1920 Resolution amending Resolution No. 700 of 1977, providing for an Agreement/s with the North Side Civic Development Council, Inc., to decrease the amount from \$40,500.00 to \$26,637.81.

Also,

No. 1921 Resolution amending Section 11 of Resolution No. 1267 of 1977 entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program" so as to decrease "Stafford Storm Sewer" from \$160,000.00 to \$0; and further to increase "Landlord Repair Loans" from \$595,000 to \$755,000.

Also,

No. 1922 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 1220-22 Buena Vista Street, Block and Lots 23-J-310 and 311, 22nd Ward, Mexican War Streets Historic District, 22nd Ward.

Also,

No. 1924 Resolution providing for Issuance of a Certificate of Appropriateness for work to exterior of 618 and 620 N. Taylor & 1302, 1304 and 1306 Buena Vista Street, Block and Lots 23-J-194, 195, 196 and 1971, 22nd Ward, Mexican War Streets Historic District.

Also,

No. 1925 Resolution providing for Issuance of a Certificate of Appropriateness for work to exterior of 506 N. Taylor

Avenue, Block and Lot 23-J-218 in Mexican War Streets Historic District, 22nd Ward.

Also,

No. 1926 Resolution providing for Issuance of Certificate of Appropriateness for work to be done on exterior of 604 N. Taylor Avenue, Block and Lot 23-J-205 in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 1927 Resolution amending Resolution No. 44 of 1976 so as to decrease amount authorized to Public Works from \$2,377,106.35 to \$2,227,106.35 and increase amount authorized to URA from \$8,072,334.00 to \$8,172,334.00 to allow said department to increase "Small Landlord Repair Loan Program" from \$660,000.00 to \$760,000.00.

Also,

No. 1928 Resolution amending Section 11 of Resolution No. 1549 of 1978 entitled, "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program" so as to decrease "Great House Sale" from \$100,000.00 to \$25,000.00 and further increase "Energy Conservation and Insulation Program" from \$400,000.00 to \$475,000.00.

Also,

No. 1929 Resolution authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh providing for financial settlement of a portion of the Reedsdale-Ridge Project, completion of all project activities, maintenance and sale by Urban of remaining property in said project and for payment to the industrial and residential land reserve funds of project funds in excess of obligations.

Also,

No. 1930 Resolution approving a Neighborhood Housing Program Agreement between URA and James R. Herring, Jr. and Constance Herring for a house to be constructed in the 21st Ward of the City of Pittsburgh.

Also,

No. 1931 Resolution approving the sale of Parcels 244D and 244E (1413 Page and 1410 Hopkins) in the 21st Ward of the City of Pittsburgh by and between URA and Andrew J. Brown for \$444.00, Redevelopment Area No. 27.

Also,

No. 1932 Resolution approving the sale of Parcel 4C-2 in the 11th Ward of the City of Pittsburgh by and between URA and William R. Lynch and Lillian Lynch for \$2.00 per square foot — Industrial Land Reserve Fund. (Penn Avenue).

Also,

No. 1933 Resolution approving the sale of Parcel 4C-3 in the 11th Ward of the City of Pittsburgh by and between URA and Old Allegheny Realty/Wheeler's Paints for \$2.00 per square foot — Industrial Land Reserve Fund. (Penn Avenue).

Also,

No. 1934 Resolution approving the sale of Parcel 45 (Watt Street) in the 5th Ward of the City of Pittsburgh by and between URA and Joseph H. Mixon, Jr. and Ema Mixon for \$100.00 — Redevelopment Area No. 32.

Also,

No. 1935 Resolution approving the sale of Parcel 21C (2917 Orbin Street) in the 5th Ward of the City of Pittsburgh by and between URA and Silas Jackson, Jr. and Earline Tibbs Jackson for \$150.00 — Redevelopment Area No. 32.

Also,

No. 1936 Resolution approving the sale of property in the 3rd Ward of the City of Pittsburgh by and between URA and Jerry Eisner for \$3.25 per square foot in Redevelopment Area No. 3.

Also,

No. 1937 Resolution approving the sale of Parcels 168 and 169 (Pennsylvania Avenue) in the 21st Ward of the City of Pittsburgh by and between URA and Lawrence P. Gessner and David L. Koloskee Partnership for \$1,000.00 per dwelling unit — Redevelopment Area No. 27.

Also,

No. 1938 Resolution approving a Neighborhood Housing Program Agreement between URA and Lawrence P. Gessner and David L. Koloskee Partnership for housing to be constructed in the 21st Ward of the City of Pittsburgh.

Also,

No. 1939 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission for Norma Sue Madden, to attend Workshop in Integrating Energy Conservation with Housing Rehabilitation, Baltimore, Maryland, November 6-7, 1980, at cost not to exceed \$400.00, payable from Community Development Block Grant Trust Fund, CDHDA — Administration 9HD-79-08).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 1940 Resolution providing for the issuance of a \$876.84 warrant in favor of William Eddings for damage to his Ford Van by a City Refuse vehicle, charging same to Code Account No. 46, Judgments.



Also,

No. 1941 Resolution providing for the issuance of a \$2,780.00 warrant in favor of Frank and Lois Yund for property damage by a Bureau of Refuse vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1942 Resolution providing for the issuance of a \$1,270.00 warrant in favor of Norman and Ada Eisengart for automobile damage by a Bureau of Refuse vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 1943 Resolution providing for the issuance of a \$893.00 warrant in favor of Thomas Nill for property damage due to a water main break on August 3, 1980, charging same to Code Account No. 46, Judgments.

Also,

No. 1944 Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the U.S. Department of Labor in the amount of \$36,920.28, federal grant.

Also,

No. 1945 Resolution transferring \$200,000.00 to Code Account 58, Municipal Pension Fund — Old, from Code Account 55, Policemen's Relief and Pension Fund.

Also,

No. 1946 Resolution providing for an agreement or agreements with American Civil Liberties Union, Community Human Services Corporation, Pittsburgh Regional Library Center, and Vintage, Inc., for the implementation of its Comprehensive Employment and Training and providing for the payment of the costs thereof.

Also,

No. 1947 Resolution amending a portion of Resolution No. 1001 approved November 5, 1979 entitled, "Amending a portion of Resolution No. 825 approved September 17, 1979 entitled, 'Providing for an Agreement or Agreements with Abraxas Foundation, Brashear Association, etc. and providing for the payment of costs thereof' by increasing the authorized amount from \$919,787.00 to \$928,418.00 payable from CETA Title III Trust Fund.

Also,

No. 1948 Communication from Melanie J. Smith, Director of Personnel and Civil Service Commission requesting permission for Josephine Kenney and Monica George to attend CETA Financial Management Seminar, Philadelphia, PA, November 18, 1980, at a cost not to exceed \$500.00, payable from CETA Trust Fund.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 1949 Report of the Committee on Finance for October 22, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1764

A Resolution entitled, "Resolution transferring \$40,000.00 from Code Account 1792, Contingency Fund, Unexpended Salaries, to Code Account 1700-1, Premium Pay."

Which was read.

Mr. Stone:

Mr. President, on Bill 1764, I move to amend the amount from \$40,000 to \$30,000 on line one and five.

**Mr. Givens** seconded the motion.

**Michelle Madoff:**

Mr. Stone, did you get the report back from Mr. Cosentino on his lack of funds in any other department?

**Mr. Stone:**

That is what they have as far as I understand it Michelle.

**Michelle Madoff:**

I'll keep his letter and as we get into the budget hearings perhaps we will find that this may or may not be the case.

**Mr. Stone:**

Well that is why we are doing it month by month.

**Michelle Madoff:**

Okay, but I have a feeling that this is not accurate because I asked him if he would take the money out of utilities or out of chemicals or other things and he said he needed the money there too, I said let's use it now, not use this fund and then later if there is anything — if we are really shortened down to zero then we could use this fund, I don't think we should be doing it. I concur with you, this is not the way it should be done and I don't understand why he can't take that out of chemicals or why he can't take it out of utilities and if we run short at that time, then when we are down to no money we could then go into this fund, but there are other dollars. What do you want to do?

**Mr. Stone:**

I am approving it, I am amending it from \$40,000 to \$30,000 and then we will be moving it.

**Michelle Madoff:**

What are you going to do when at the end of the year there is money left over.

**Mr. Stone:**

We'll be getting it all in the end.

**Michelle Madoff:**

You're going to give it to him in the end.

**Michelle Madoff:**

I am going to abstain because I don't believe we should be taking the money and it is my committee.

**The Chair:**

Is there any further discussion on the bill as amended?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne**  
**Mr. Flaherty**  
**Mr. Givens**  
**Mrs. Masloff**

**Mr. O'Malley**  
**Mr. Robinson**  
**Mr. Stone**  
**Mr. DePasquale**  
(Pres't)

Ayes 8    Noes none

(ONE ABSTAINING —  
MICHELLE MADOFF)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1796

A Resolution entitled, "Resolution transferring the total amount of \$7,000.00 from Code Account 1365, Equipment to Code Account 1362, Supplies and Code Account 1364, Repairs, Department of Lands and Buildings."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 1799

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Fisher Scientific Company, Department 653050, P.O. Box 405, Pittsburgh, PA 15230, in the amount of \$343.80 in payment for repairs to a Microscope furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Givens
Mr. Flaherty	Michelle Madoff

Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1809

A Resolution entitled, "Resolution transferring the sum of \$2,876.00 from Code Account No. 1463-1, Educational and Traveling Expenses, to Code Account No. 1468, Equipment, within the Department of Fire."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1819

A Resolution entitled, "Resolution providing for the issuance of a warrant to Karen Waight in the amount of \$3,300.00 in full

settlement of claim for personal injury and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1820

A Resolution entitled, "Resolution transferring \$2,070,000.00 from Code Account No. 42-2, Contingency Fund, to the following accounts: 44, Workmen's Compension Fund, \$950,000.00; 45, Health Insurance, Municipal Employees, \$1,025,000.00; 54, Group Insurance Plan, Municipal Employees, \$50,000.00; 44-1, Unemployment Compensation Fund, \$455,000.00." (AS AMENDED IN COMMITTEE).

Which was read.

**Mr. Stone:**

On Bill No. 1820, I would like to have brought forward the remarks of our City Treasurer, Mr. Schmeiser wherein he has indicated that the large sums of money somewhere between one and two million

dollars was underbudgeting and that was not by the former Treasurer, but rather by Ken Fields and I think it ought to be put into this record that he was off in excess of a million dollars in underestimating of budgeting. Since Council has had some concerns about Mr. Fields ability in this type of operation, not to mention again, the many times we mentioned the credibility factor, but nevertheless here is a good example, that if we didn't have this contingent fund that the City would not be able to pay the health insurance for municipal employees which is now in excess of a million dollars because the man didn't take that into consideration. That is no magic formula, that was an easy one to ascertain and he couldn't even ascertain that one, but I think that ought to be with this bill.

**RONALD SCHMEISER, (City Treasurer),  
REMARKS ON BILL NO. 1820  
FROM THE MEETING OF  
WEDNESDAY, OCTOBER 22, 1980:**

**Mr. Schmeiser:**

It appears to us that Worker's Comp was underbudgeted \$1,000,000.00 for 1980.

**Mr. Stone:**

I have been looking into this thing and I'm glad that the Treasurer has had the intestinal fortitude to call it where it is without mincing words about it. This was underbudgeted. There was one account in Parks and Recreation that was \$9,000 and we had cut it by \$1,000. There was a big scream about it and here's Ken Fields Wharton School of Finance that underbudgets \$1.2 Million and we're just supposed to pass over it like its nothing. That is not fair, but here is what I've done with this account.

**Mr. Schmeiser:**

In budgeting Mr. Stone, we knew what the rate was per employee and we should have been able to budget that fairly accurately.

**Mr. Stone:**

All right, I've asked the Treasurer to give us what is necessary by the end of November and he has done so and I'd like to move to request a motion on these amendments.

End of Ronald Schmeiser's remarks.

**Mr. Givens:**

Bob, I echoed the same sentiments last Wednesday on the situation, you know, we have to vote on this legislation, we can't keep money from coming to the —

**Mr. Stone:**

I'm not holding it back.

**Mr. Givens:**

From coming to the people who deserve it, but to underestimate this much money, to me, is just gross, has to be almost gross negligence on the part of a fiscal officer and I would like this Council, it it is so agreed upon, to send some type of communication —

**Michelle Madoff:**

I asked for that last week.

**Mr. Givens:**

To the Mayor, indicating our indignation of the type of irresponsibility on the fiscal officer of the City of Pittsburgh, one that we must lean upon to some degree for his accuracy and when that is not forthcoming, then some action must be taken by the Mayor.

**Michelle Madoff:**

Is that a resolution? Since I suggested it last week that we have Mr. Ken Fields here to speak for himself and not put the onus on Mr. Schmeiser, make that in the form of a resolution and I'll second it, I would like an answer, I would like to see

somewhere in print for the record, why this happened and I would like it to come from Mr. — could the letter be addressed to both the Mayor and to Mr. Fields, would that be acceptable to you?

**Mr. Givens:**

To the Mayor, we don't direct through — I don't work through Ken Fields, my relationship in this Council is directly with the Mayor.

**Michelle Madoff:**

Is that a resolution?

**Mr. Givens:**

I don't care if it is a resolution or not. Mr. President, I think it is incumbent upon you as the President to steer us in whatever direction you feel appropriate at this time.

**Michelle Madoff:**

Well, if it is a motion I second it.

**The Chair:**

I feel you are 100% correct and being we have made a motion and have a second I think we ought to vote on the motion and then we will forward it to the Mayor's Office.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 1821

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the Refurbishing of the City Controller's Office Extension, Department of City Controller, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 1950 Report of the Committee on Public Works for October 22, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1795

A Resolution entitled, "Resolution repealing Resolution No. 967, approved September 25, 1980, effective September 29, 1980, in its entirety, entitled, 'Amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, entitled, A Resolution providing for a Contract or Contracts authorizing the resurfacing of various City Streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurbing and other work incidental thereto, PW 80-02; and providing for the payment of the costs thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1831

A Resolution entitled, "Resolution vacating portions of Tunnel Street, Center Avenue, Court Place, Sixth Avenue, Bigelow Boulevard and Grant Street in the First Ward of the City of Pittsburgh, and providing for the conveyance of portions of Grant Street, Bigelow Boulevard and Sixth Street, excepting and reserving all utility easements in Tunnel Street; and providing for related agreements; providing for the payment of the cost thereof; and creating a special trust fund in connection therewith." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 1832

A Resolution entitled, "Resolution authorizing the City to acquire title in fee simple to certain property located in a triangular parcel of property at the intersection of Grant Street, Sixth Avenue and Bigelow

Boulevard in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1833

A Resolution entitled, "Resolution authorizing the City to acquire title in fee simple to certain property located in the rights-of-way at Fifth and Sixth Avenues in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1834

A Resolution entitled, "Resolution providing for an Argeement or Agreements with Port Authority of Allegheny County for the construction of the Light Rail Transit Subway in a street or streets located in the Central Business District of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Stone:**

Mr. President, if I may, relative to all of these bills relating to the U.S. Steel Project Bill Nos. 1831 through 1834, I want to be as candid as I might be with this body, I have indicated my reservations about it and they have not changed, but my point today is a slightly different issue and I would like to bring that forth to this Council. I consider the project that is before us to be a major development, probably one of the largest that will involve this City of Pittsburgh since it does involve the most valuable piece of property in the City of Pittsburgh. Because it does involve a series of six to nine different intersections which could possibly have a major effect upon the City of Pittsburgh, this particular

Council has had a reputation for being fair, I think fair in granting hearings, fair in giving notice of those hearings, fair to participants and fair in its decisions. We have even granted hearings on small developments of one, two, maybe even three buildings. We grant a 60 day trial period when we want to make a street one way. If this matter is to pass within one week of its time that it came to Council's calendar, I would just like it to be understood that heretofore no one has had that forum where they might express themselves relative to this particular project. If this Council is to move it as has been suggested here, waiver of Rule 8 from Monday all of the agendas are sent out with Rule 8 being waived that means that we had already passed on it on Wednesday and it is coming up here before even the people who receive the agenda in the regular course of our Council business have not even had that notice yet. It would be very important to understand that if that hearing is denied, no one but this Council body is denying it because it is time now and no other time was there for this matter to be heard. How can we even hold any project in the future for a hearing if we set the bad precedent that we are attempting to set here today? I am suggesting to this body that we ought to recommit, for the purposes of a hearing. Let the hearing be set as quickly as possible and no longer than a two week period. Let the issues be heard, where the only forum exists for it to be heard and that is at the Council table in City Council's Chambers. Whatever the Councilpersons final vote may be is unimportant to the present issue and that is will this Council, in accordance with its past reputation for being fair and giving hearings, will it give a hearing in this instance? If after a hearing and notice to all parties, it is the final decision of this Council to approve it, then so be it. But to move so rapidly on such a major development as this will leave this Council and this City suspect. I therefore move to recommit Bill Nos. 1831, 1832, 1833 and 1834 dealing with the U.S. Steel Development and a hearing be set immediately so that it is not interpreted as being a desire to delay this particular project.

**The Chair:**

Is there a second on the motion? There being none, the bills are not recommitted.

**Mr. Stone:**

In view of that I would like to just add a few things if I may. Relative to the values that are involved here I saw a photograph of the old streets and the new streets as of October 23, 1980 in the Pittsburgh Press and in that newspaper it lays out the old way and also lays out the projected new streets. I think that looking at that picture again, it shows how much property is being taken and being abandoned is Sixth Avenue and Grant Street to Fifth Avenue, a 48 to 50 foot wide street extending that whole distance, Centre Avenue, which is the widest part of Centre Avenue from Tunnel Street to Sixth Avenue. Court Place from Sixth to Fifth, Bigelow Extension which is the one I have some grave concerns about traffic control, and the other triangle street which is at Fifth and Sixth. This is more road than anybody possibly imagined. In fact, if you are looking close at the area that is involved, what we have done is abandoned all of our streets in order to double the amount of space that U.S. Steel originally represented to us was sufficient for the Dravo Building alone. There has been some yes, some no but a lot of indefiniteness as to what U.S. Steel intends to do with the triangle corner at Bigelow and Sixth. This property, it has been told to us by Mr. Lurcott, is the most valuable piece of property in the City of Pittsburgh. With a better look we are able to truly know its value and are we protecting the City's interest at this particular instance. The Oxford Development paid somewhere between \$7 and \$9 Million as I recall it for the piece across the street, and considering the assemblage here of roads which we are offering, we are talking something along those lines, but we are even talking something better, when you can get alongside of the piece you have, as is attempted here, to make that contiguous and make one big large piece as we have it, then as I see it, we have created the

most valuable piece of property in the City of Pittsburgh and perhaps in its history.

Three years abatement we have already voted for for industrial and commercial abatements and taxation. More City street land is being given under the guise of an assist here to U.S. Steel than meets the eye. This is clearly one of the biggest giveaways the City of Pittsburgh has ever, ever in its history done, and since we are coming up on Halloween, it may very well be that this may end out haunting this Council and this City one of these days.

In addition, looking at the map that was in the Pittsburgh Press on October 23, 1980, the map shows very clearly, now, that instead of going on a straight and level road, number one straight, and number two a level road, those people coming from — and it has been represented that there are 55,000 cars that come across the bridge, and that is half in and half out, that is 27,000 — but at any rate, some of that and less would come down, but we are talking about when they would come, whether it would be during the peak hours or not, but that traffic plus Fifth Avenue must now make a right turn and go up the hill to Tunnel Street and then make a complete circle and come down the hill to Bigelow in order to give U.S. Steel this valuable piece of property. But I think the most important thing, and that which I did not cover last Wednesday comes very, very clear from this particular picture. I spoke about how it would be coming into the City of Pittsburgh. You don't have to be a traffic expert to look at this map to see the big traumatic problem it is going to be for anyone trying to exit from the City of Pittsburgh. It has been already indicated that relative to Oliver they will hit a dead end and originally it was thought they would make a left or right and then a left to go up to Bigelow, there is some thought they will not let the left turn go there, but at any rate, for those people using Bigelow and that is involving Bloomfield, Garfield and Shadyside, those people using Centre Avenue, that is the Hill District, those people using Fifth Avenue which is Soho,



Oakland and a part of Shadyside, those people using the Liberty Bridge and that is all of those communities south of the river, we are making an exit from the City of Pittsburgh where these people for years have been going on those streets, we are making an exit now, mission impossible. If this is permitted to pass, or permitted to pass without a hearing, I predict at this time a traumatic impact upon the vehicular traffic and the people who drive in those vehicles, but the regrettable thing will be that if we don't look at it now we may be having an irreversible decision.

I asked before and I have asked a number of times and I have asked every time, why is it that U.S. Steel cannot use the aerial or subterranean rights of that particular triangle which is between the William Penn Hotel and the old Carlton House? The plans are still on paper, no concrete has been poured, what better time to look than now? What better time to have looked than the first time I expressed my lack of interest in doing it? I think with a stroke of the pen they can make that change. I am looking at a project and some people say, "Stone, you live in the South Side, why should you be so concerned about this area?" I've looked at this many times and I see it as a very traumatic thing for the City of Pittsburgh, we are going to end up with making it very nice and convenient for U.S. Steel to blend real nice with the U.S. Steel Building as we really wreck the hell out of everything close to this governmental office. The intersection of Fifth and Sixth later is going to be a terrible intersection, the new Ross and Ross Street with Fifth is going to be worse than ever before, Grant and Fifth is going to be the most terrible situation we could possibly imagine. Not to count by virtue of the so-called circuitry arrangement that is suggested here, that we are going to now affect Cherry Way and Wood Street.

If I haven't done anything else, I have done what I think is a service by indicating there are a lot of problems and by indicating at this particular time that we have not had the opportunity to get all of the an-

swers. I am at a loss to understand what the big rush is, it always takes 10 days for any project to get through, PPG took a couple of months after it got to Council, Oxford Development took a couple of months after it got to Council. Can U.S. Steel ever expect that they should get it in seven days through this Council? I am beginning to wonder.

I'll not be part of an early Christmas for U.S. Steel.

**Michelle Madoff:**

Mr. President, I don't want to get into verbal abuse with Mr. Stone and I will try to keep my remarks very ladylike and hope he will take them in that vein. I was in the hospital last January when the story hit and your comment, Sir, about Mr. Mineolas and the Interlude and your concern about that building and I didn't know what it was all about. From the hospital bed I called Mr. Lurcott and said what is this all about and I made it my business to get hold of the report on the independent study of the traffic plan. There have been two other plans that also had been done that indicate that this is a very viable route to go. I don't want to reiterate all the statements that I made the other day but I think some things need to be said. The comment has been made, "Why do we have to move so quickly?" When are we moving quickly? We knew about it last January, it is almost a year. The public has known about it, we are not moving in all haste, it isn't a situation where somebody is saying, "You are taking our property by eminent domain and putting us out of business", some little store. The streets are being widened, we have to have some confidence in some members of our Administration and the department heads as to their plans for traffic design.

**Mr. O'Malley:**

The Mayor.

**Michelle Madoff:**

Oh, I think the Mayor does some things

right. I also think that the people that Mr. Stone refers to, the people from the South Side and the Hill and all the people that he has touched on, he also should know better than any of us as Chairman of the Finance Committee, that next year we are going to be zapped with taxes that are going to be astronomical and how could anybody jeopardize, or even for one moment think of jeopardizing the tax base that that building will generate for this community? And I know, and if other people had taken the time to bother to talk with the U.S. Steel people and I got information from other sources, from bankers, because I don't believe anybody so I double check everything, but this project is still in jeopardy, if we don't vote rapidly, expeditiously, the dollars may not be there to build at all and they say, "We've had enough", Dravo will go to the suburbs, U.S. Steel will say, "We'll sell it for capital gains", and what good is it going to do people like me who have been screaming since I've been here about the --- what is it? Four Million Dollars we have now in deficits for the Zoo, the Aviary and the Conservatroy? All the facilities, we have no service fee for the thirty percent tax exempt properties in this communities, these bedroom communities take advantage of all our services, that is why they live there and we, you and me, we put our hands in our pockets and we come up with all these deficits. And what is all this nonsense about this three year tax abatement? They are not going to be out of the ground for three years, the amount they are going to get is not going to have them build or not build, they were going to build with or without it. My concept of the five or ten year tax abatement was for land that has nothing on it right now that might produce hoola hoops or might have a Johnson & Johnson Plant, unfortunately the Enabling Act as it is presently structured and it may not be able to be changed, it may be unconstitutional to give a sliding scale of tax abatements. I think we have to deal with the problem now and I think that none of us would go home and say, if this thing failed because of a lack of funding or some kind of financing arrangements going on, that we let this go down the tubes

I think it would be a disgrace and I would like to point out if Mr. Stone had taken the time, as all of us did, I think all of us did, to come to the briefing, he would have heard Mr. Arnheim explain why the dollar difference was different than Oxford and why it was different than Grant Street, because it was done on an average, as you went further back the properties changed in value. Its like saying, "Why don't we get somebody who is going to be across the road on the Boulevard of the Allies more money because they are going to be next to PPG today", you have to go today's values. At today's values, even based on escalating factors, the property on Grant Street was rated in the neighborhood of the Oxford property, as we went further back it became less valuable and it was an average. I think it is a gross distortion of what has happened, this has not been a hidden secret project that Council has tried to hide, Lord, we have been reading about it every week in the papers, everybody knew about it and frankly I think I get more complaints than anybody else in this Council, I feel like I'm --- my tombstone is going to say there are 100,000 stories out in this great City and they brought them all to here, I'm the court of last appeal, when nothing happens in the Mayor's Service Center, when nothing happens anywhere else, they come to me and I haven't had one single, solitary complaint from a citizen saying, "I object to this traffic plan" and I think we ought to get on with voting for this.

#### **Mr. Givens:**

Mr. President, as you have to realize I had some reservations, not reservations but some unanswered questions, or I wanted more detail or more information on them, one dealt in with the assessed valuation of the property and from Parcel A, B and C and how they dealt with the street patterns that are being vacated and this Council primary to this legislation, is a great part of it is the vacating of that street which is a great proportion of the usable land in Parcel A that is going to be built, that in talking to Stanley Arnheim and Associates after that particular meeting on Wednesday

and a good session in my office for some hours I was convinced further by them that what they had done was in the best interests of the people of the City of Pittsburgh, in fact, if you talked to the people of U.S. Steel and even the people in this room today, you will find that the negotiations that the City of Pittsburgh had transacted on this, the changing of these parcels that we apparently might have realized an increase in our treasury as so indicated in the brochure, \$1.3 Million, it was actually more like \$1.2 and then further delineated to about \$800 some thousand dollars of which that money will be used also. But my evaluation, thinking that the surface streets belong to the City of Pittsburgh, they do not belong to the City of Pittsburgh, the property owners in this particular case would be U.S. Steel and their alignment there comes out to the center of the street in many cases, it even goes beyond the center of the street favoring U.S. Steel, so if the City of Pittsburgh and this Council so vacates that street, then the rightful property owner, it would normally in the court of law, go back to the abutting property owner, in this case U.S. Steel. So I felt in negotiating the some \$46.00 per square foot in that Parcel A, especially where the major building is to be going up at, considering the legal ramifications that U.S. Steel already owns that property, that the City only had it for surface and maybe a little sub-surface for sewers and water lines and utility lines. Predicated upon that more detailed briefing to myself, I am now satisfied that the agreement between the City and U.S. Steel has been on that has been faithful on both parts and I have to echo other Council people that the benefit that is derived from this structure is one that will I think be an asset to the City of Pittsburgh.

Looking at the present street design of Centre Avenue, Bigelow Boulevard, Tunnel Street, Sixth Avenue, you take it, it is a mish mash out there right now. One only has to go out between 4:00 and 5:45 in the evening to look at all these intersections being blocked by traffic because the signalization further downstream blocks a trailer truck in the middle of these streets

wherein almost all the traffic is even snarled. Even with police officers out there, if you are behind a truck in many of these intersections that are only just a couple of hundred feet in length, or maybe only 50, 75 feet in length, you will go through with a tractor trailer and find out that he is going to stop right beyond the intersection and here you are sitting out in the middle of the intersection. I have always been taught in going through certain formal schools in traffic regulations and traffic flow patterns throughout my formal education as well as practicing this for 20 some years, I find that the street alignment is one that creates a better traffic flow. In looking at the inflow into the City and the egress from the City I see that this particular layout of street design does not complicate any more than what we presently have, if anything it should enhance the property.

I have to go along with Bob Stone in this Council, having some type of public hearing in regards to major developments within the City of Pittsburgh so this Council can have input, but like Michelle, I voiced that this Wednesday, I have not received one phone call, nor have I received a phone call or a letter from anyone, nor have I been even approached. I am beginning to wonder as to what in the world is happening down here, but I have heard nothing and as a result I feel that because —

**The Chair:**

There's nobody left Dick, they all got in touch with Madoff.

**Michelle Madoff:**

Well I'm glad you noticed that.

**Mr. Givens:**

Well, I felt that because I wasn't summoned, that I have received no letters, that there were no inquiries into my office in regard to this, to the fact that the Port Authority had at least a couple of briefings as to many of the effected groups and parties on this, plus they had their own

public airing of the Port Authority and their new tunnel and the mass transit system and that the City Planning Commission should have had a hearing on this, or will have a hearing on this, and the fact that I sit on the Urban Redevelopment Authority Board and we have had a public hearing on what parcels we were making transitions on in regards to this development and any of those that we hear any griping from the people of the City of Pittsburgh.

I would think that if Mr. Magee, back in his day, would never have eliminated the hill on Grant Street, I wonder if any of this parcel would be developed today and I wonder what we are going to do with this good bust trophy out there, we have to put that someplace, maybe in the hallway of City Council, but we definitely don't want to leave a man like that out in the cold, and especially while the place is under construction, he might be bumped or something, but seriously, getting back to Bob's contention of a public hearing, I think if the people of the City of Pittsburgh want to have a voice in their government, in something that I sense very strongly that I would like to see citizen participation, we are criticized here in government and especially here in this City Council for not, in some cases, especially within the eyes of the media, for not having the people have direct input into their destinies in their lives within the City of Pittsburgh and here we have an opportunity to do that, but yet again, it does not prevail upon us to have such a public hearing and the delay that we might have in construction costs in a building of \$100 some million every week, if I heard correctly, constitutes about a possible Million Dollars in delay. Or a Million Dollars in cost, so with that confronting us, with the fact that the market should be improving, I would hope that this project would be something of a symbol to the people coming into the City of Pittsburgh likened to other buildings that have been built down at the Point and some of the other U.S. Steel buildings that have been erected within the City of Pittsburgh. The fact that U.S. Steel has been a partner with not only Allegheny County and the

City of Pittsburgh, but especially with this Council and their endeavors, to keep the corporate structure here in the City of Pittsburgh, Let us all face the reality that they can move if they so desire to. Thank you Mr. President.

#### **The Chair:**

I myself have mixed emotions and I should make this statement, I personally feel that the project should proceed, but I have known Mr. Stone too long and too well, when he casts grave doubts such as he did today, I have to listen and I don't know why he would make all these objections unless he felt that they were justified. Mr. Stone just doesn't operate that way —

#### **Michelle Madoff:**

That's a matter of opinion.

#### **The Chair:**

As you all stated and I have stated and he stated, he hasn't had too much objection or too much flack from the public itself, it is just that he feels in his heart that if we don't have a hearing and maybe not straighten this matter out that the traffic is going to be so impossible and perhaps it will come to a standstill. He may be exaggerating a bit, but I think he means every word he said and I think we ought to take that into consideration even though his re-commitment didn't get a second and I wouldn't take it too lightly and we may fall back on it someday, so bear that in mind also.

#### **Mr. Stone:**

Mr. President, I have one more closing remark if I may, I would like to bring my Wednesday remarks forward to this meeting and close with this comment, when we are thinking of the Pittsburgh Steelers and the fist, this incident later will be symbolic for the carpenter who hit his thumb with the hammer and left nothing but aches afterwards.

**MR. STONE'S REMARKS ON BILL  
NO. 1831 FROM THE MEETING OF  
WEDNESDAY, OCTOBER 22, 1980:**

If I can at this time, I would like to cover something. I think all of you know I've been considerably concerned about this particular project. I'd like to cover this thing on the blackboard. I'm appalled and it borders on idiocy for us to get a program given to us on Monday and to attempt to pass it today. Now if we don't want the neighborhood people who are affected by this, if we don't want the 170,000 people who traverse that road to know about what is going on this is the way we do it. But if we are going to be responsible people, whether it be U.S. Steel or this Council or this City, then we had better let someone know about it if it has that worthiness to it to which it ought to be given its test of coming before the people and not just shoveled through in a few days as we are attempting to do here.

I've had ten briefings on this particular project and I had the one before this Council and the attempt to meet with me first was so that I who had voiced the most vociferous objections to this would change my vote. I refuse to change it. I refuse to change because I am not going to change it while 170,000 people are affected daily by traffic problems and nobody here gives a damn. I think that is wrong. I'd like to show my example here if I may.

**(DEMONSTRATION ON BLACKBOARD)**

Now, what does U.S. Steel want to do with this piece of property? I indicated the first time this came through and I have been very candid and up front with all of my objections. They say they may put a hotel in. Okay, we put a provision in the bill that says that they can't use property until they tell us what they're going to do and it is an acceptable plan to the City of Pittsburgh. I'll tell you something, the minute we put that bill in, you are going to find U.S. Steel higher than 64 stories. They don't want to tell you.

The Mayor has always said that U.S. Steel has never disclosed to him what they were going to do.

We have some changes here, the only difference with what we get is a change of Ross and Court Place. But U.S. Steel gets the most valuable piece of property in the whole City of Pittsburgh. They say Nick Manolas was to have a 40 by 60 for \$1.3 Million. For a 40 by 60 piece of property, \$1.3 Million and here we are sitting with the most valuable piece of property in the City of Pittsburgh and you know what we are getting? We are going to end out with \$1 Million less than all of the improvements than we have to put on the streets and you know what we are going to get? Nothing but another street that is going to make it convenient for U.S. Steel.

Now I don't mind helping people, but as I said before at this table, I see no Section 8 program, no poverty program and no charity plan for U.S. Steel in this area. We give everybody a tax abatement but I don't think we have to give the City away.

I want to know what they propose to do here and I think it deserves. if nothing else from this Council. all these people from the South. from the City of Pittsburgh, one-third of the City's population, all those people from Soho and Oakland, all those people in the Hill, all of those people from Shadyside, they are entitled to know that they are going to be affected because close to 170,000 people pass that street in those four blocks. And to try to steamroller it through here is to make it seem like we are trying to pull something. It is not fair.

End of Mr. Stone's remarks of October 22, 1980.

**Michelle Madoff:**

Mr. DePasquale, I think your point is very well taken. I think what I hear you saying is that Mr. Stone is speaking in good faith and believes what he is saying,

the only question that I have is that if he really meant it he would have been at the Mayor's meeting when we were briefed and I think that speaks for itself let's call the vote.

**Mr. Stone:**

You know Michelle on this issue, the more you talk — you know, sometimes, I don't know whether you are on valiums or not, but you know, I am at a loss to understand —

**Michelle Madoff:**

What are you on? Pot?

**Mr. Stone:**

I am at a loss to understand, I had twenty meetings on this issue and from day one when I saw it I registered the same objection —

**Michelle Madoff:**

No you didn't you registered the objection of Mr. Manalas, that was your only objection, that is all we ever heard out of you.

**The Chair:**

No, he made his objections down at the Port Authority meeting, you were there and Mr. Givens was there.

**Michelle Madoff:**

That's right, I was there.

**Mr. Stone:**

I did it right here the first time it ever hit the Council meeting, I did it at the engineer's down at the Kossman Building, I did it at the Port Authority, I did it on the sixth floor of the building that I am in where the architect showed it to me and I did it at least six times in front of the Mayor and the other parties that showed it to me and each time was the same thing,

why can't the U.S. Steel go above Bigelow at that particular point, it has been a consistent thing. All we have is just a dogmatic situation, we are going to go and we don't give a damn whether you like it or not. Well, in that sense as Mr. President very clearly said, at least I can rest that I said what I had to say at this time.

**Mr. O'Malley:**

I would just like to commend Mayor Caliguiri. In the year I've been on Council, we've had Oxford, we've had PPG, we have Dravo, we have the Convention Center and I think that Mayor Caliguiri does have Renaissance II started, I think he is to be commended for it and I think he is to be congratulated for it.

**Michelle Madoff:**

I'm not going to touch that one with a ten foot pole, let's call the vote.

**Mr. Stone:**

Mr. President, I think that needs touched. I think what he said is accurate and I 100% agree with one exception. I think the fact that we are moving is a good sign, I have said it time and time again, it should have started with the Mayor before this one, but it didn't, but nevertheless, this Mayor said we are on the move and we are. This Mayor has started Renaissance II and we have it. I think he should be commended for that, but I think in our taste sometimes, that we like — its like too much ice cream, even that gets contemptible.

**Mr. Robinson:**

I would like to have my remarks from Wednesday included in the record please.

**MR. ROBINSON'S REMARKS ON  
BILL NO. 1812  
FROM THE MEETING OF  
WEDNESDAY, OCTOBER 22, 1980:**

**Mr. Robinson:**

Mr. Chairman, I have had an oppor-

tunity to discuss this project with the Administration and I was at the briefing so my comments are not being made in reference to my being unknowledgeable on basically what is being attempted here. But I do have some concerns, that perhaps in light of some previous problems we have had relative to major projects in this City, that perhaps we need more information or perhaps there is more information that could be made available to us. One, I think that the question of the overall plans for what is going to be done on that property has not been made available to Council even though the vast majority of us are probably pretty much aware of what U.S. Steel Corporation and the Carlton House Corporation would like to put on that property. We of course have two models behind us representing part of that effort.

Also, I think that the legislation that we have before us does relate to the transfer of various properties, but again/does not specifically let us know what is going to be done with that property to the extent that perhaps it answers some of the questions that Council has. I'm even more concerned about any kind of implementing mechanisms that might be contained in any master plan or agreement and the persons or agencies responsible for carrying those out.

If Council will remember, there was some concern relative to who was responsible for carrying out various functions of the agreement relative to the PPG Project and a couple of others. Council needs more specifics relative to those implementing mechanisms and those areas of responsibility. I'm not saying that I'm for or against the project, but I would just like to have that kind of information before I make a final decision.

I think we need some clarification as a Council as to where these plans are and who has responsibility for approving them and what mechanisms there are to implement them so that when we make a decision we are not then held accountable for a process that we have not been a part of.

I have no problems with any agreements that have been reached or any implementing mechanisms that have been put in place or any procedures that have been outlined, but I think we need to get some clarification so that we can make our decision based on adequate and substantive information.

End of Mr. Robinson's remarks of October 22, 1980.

**Mr. Stone:**

I am voting a very heavy no for the reasons I have stated.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 7    Noes 1

Mr. Stone voting No.

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 1951 Report of the Committee on Planning, Housing and Development for October 22, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 213

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) 10 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Pennsylvania Department of Justice, Bureau of Corrections to use the existing structure identified as 535 South Aiken Avenue as an Institutional Facility, Home for Pre-Released Female Convicts under a work-release program, on property zoned 'R5' Multiple-Family Residence District, 7th Ward." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 214

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) 10 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Pennsylvania Department of Public Welfare to use the existing structure identified as 7228 Thomas Boulevard as an Institutional Facility, Community Residential Center for no more than twelve youths, on property zoned 'R4' Multiple-Family Residence District, 14th Ward." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson

Mr. DePasquale  
(Pres't)

Ayes 7    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1812

A Resolution entitled, "Resolution further amending Resolution No. 822 of 1980 which amended a previous Resolution 313 of 1980, by making certain line item additions to the budget and providing for the payment of the cost thereof."

Which was read.

**Mr. Robinson:**

Mr. President, on Bill No. 1812, each member of Council received from me a copy of a memo from Mr. Brophy, Director of the Department of Housing indicating that in some discussions with Mr. Eddie Albert of our staff, it was suggested that Mr. Brophy make some technical changes in this particular piece of legislation. In that regard I have forwarded to each member of Council a copy of that memo, along with the resolution and on page four of that resolution, you will see the changes underlined. What has occurred is basically in keeping with some procedures that we have established to better identify our projects and the funding sources, it was requested of Mr. Albert that we make this legislation consistent and that is what this particular memo and legislation does, I would like to amend that bill at this point that we conform with those recommendations.

Mr. Givens seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bills?



And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1813

A Resolution entitled, "Resolution further amending Resolution No. 287 of 1980 which amended previous Resolution Nos. 973 of November, 1979 and 472 of May, 1979, by making certain budget line item additions and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 1952 Report of the Committee on Water for October 22, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1800

A Resolution entitled, "Resolution providing for a contract or contracts for water line work in conjunction with the Rehabilitation of Madison Avenue between River Avenue and Carpenter Way and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1801

A Resolution entitled, "Resolution providing for a contract or contracts for Water Line Protection of the 60" Water Line at Lowrie Street and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff** presented

No. 1953 Report of the Committee on Parks and Recreation for October 22, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1803**

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of the Frick Park Service Building on English Lane and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 1804**

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 1805**

A Resolution entitled, "Resolution amending Resolution No. 1350 of 1977, the 1978 Capital Budget, by providing for an additional appropriation of \$12,475.00 for Project PR 78-04, 4-10-01-1260-78, Physical Fitness Trails, in the Department of Parks and Recreation."

Which was read.

Also,

**Bill No. 1806**

A Resolution entitled, "Resolution amending Resolution Number 659, approved July 22, 1980, effective July 25, 1980, entitled, 'Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities' by providing for a supplement to an existing Lease or Leases and/or License Agreements."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

**Mr. Coyne**  
**Mr. Flaherty**  
**Mr. Givens**

**Mrs. Masloff**  
**Mr. O'Malley**  
**Mr. DePasquale**  
(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty** presented

No. 1954 Report of the Committee on Lands and Buildings for October 22, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1798**

A Resolution entitled, "Resolution providing for the taking and payment of an estimate of Just Compensation together with title

fees and appraisal costs related to condemnation of property from Ben Schreiber and Ann Schreiber, his wife, necessitated by the widening of Spring Garden Avenue and Vinial Street in the 24th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mrs. Masloff</b>
<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Michelle Madoff</b>	<b>(Pres't)</b>

**Ayes 7    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## **MOTIONS AND RESOLUTIONS**

**Mr. Givens:**

Mr. President, I don't have a resolution, I have some unfinished business though, I don't know if we concluded that or not?

**The Chair:**

Go ahead.

**Mr. Givens:**

I think we are all in receipt of a letter to the Councilmembers from a Harriet M. Mullooly in regards to the People's Oakland and SOCC organization in the Oakland area wherein she has requested appar-

ently some information and she has been denied it and the fact that she has so indicating, at this time I am also requesting a copy of their budget and a list of the source of their fundings. This seems to be another matter they refused to discuss, if they are using public funds or solicited funds, they are definately using public funds, to my knowledge this Council has given them such money, I would address this letter I'm sure, to the Chief Clerk and if he could answer it for us I would appreciate it. I think SOCC and People's Oakland, if we are giving them public fundings that they should at least respond to citizens within their area. I don't know the relationship between this woman and the organization. She claims that she tried to seek membership and she was denied, that is hard for me to believe but if you could correspond with them Mike, I would appreciate it.

On the paramedics and the public schools, is that held for two weeks, or what is the status?

**Michelle Madoff:**

Two weeks, Mr. Stone was holding it.

**Mr. Givens:**

Have we made an in-roads in that? I'm still concerned about it.

**Mr. O'Malley:**

No, the paramedics are working under the old arrangements, that individual paramedics are attending the games and they are paid for it by the School Board.

**Mr. Givens:**

Is the City going to try to answer the questions that we pointed out to them? Some of the legal loopholes, are they going to go forward with it?

**Michelle Madoff:**

We are having a hearing aren't we?

**Mr. O'Malley:**

There is a hearing set on it isn't there Michael?

**Mr. Perry:**

No, it comes back into committee this Wednesday.

**Mr. Givens:**

There has been a hearing? Because this year, it is pretty well gone right now but we have next year that we have to look at and we should have some resolution on that.

**Mr. O'Malley:**

Let me check with Bob Stone on that.

**Michelle Madoff:**

Mr. President, I have some very important business to bring to Council. The other evening, Friday evening, I was at Station Square having some dinner with a friend and I had picked her up after the Baskin & Sears, they were holding a cocktail party for new members of their law firm, she is a new young member, as a matter of fact she was one of the women recommended to be a magistrate. We were having something to eat at Station Square, I don't know the name of the place, it is where the piano bar is located, the area where the Oyster Bar is and, it is very interesting, her parents and brother are in the business of when you call a truck, what do you call it? My mind is going, when you haul a car, what do you call those vehicles? Towing business, couldn't think of the word, towing business, and she was being picked up by her brother or her father because her car is under repair and she lives in Baldwin County, I got my car at 9:30, I'm ready to leave and a young attorney who was there because somebody was getting married, came screaming out in the street at me on the tracks in front of Station Square to say, "Can you give me a ride home, my car has just been towed."

That rang a bell with me because one of my friends had had the same thing happen to her and a friend of her's had had the same thing happen to him where they put it up on blocks and subsequently he claims slashed the tires. Now, I said, "What do you mean you can't get your car?", he said, "I have an arbitration tomorrow and I cannot get my car", I said, "Well, this is absurd", we went all over the place, I didn't have a coat with me, I almost froze to death, I was sick on Friday which is why I didn't show up, wearing a sheer blouse and a jacket, running all over Station Square trying to find out who was this tower. Well, finally we found out from a policeman, after we had gone to the Cheese Cellar and six other places we had been referred to, and Station — the freight houses are now blocked off so you can't go from one to the other, you must go outside to each place — we finally get the policeman at the center of Station Square and he has a card, now hear this, he has a card that he passes out to tell people where they can go get their car that has been towed. You get the card and you call and it is a telephone answering service and that telephone answering service gives you a number for another telephone answering service, and I lost 90c in dimes because even though it rang busy, it disconnects your and the call says, they quote the Pennsylvania State Law and you say you must pick your car up between the hours of 10:00 and midnight. So supposing Mr. "Jeep" DePasquale, our President of Council was at Station Square and at 12:15 had come out, and I have no quarrel with the car being towed, I have no quarrel with the fact that there was a fine, it was parked in a reserved area and there were no other parking spaces and the people thought at night — I have no quarrel with that, when you violate the law you pay your tab, I even paid mine when I wasn't guilty, \$395.00 worth, but we went to get the car because he had an arbitration the next day, we found, Number 8 Police Station came over, 911, took us over to the garage, I mean to this — not a garage, this place where they held the cars, he got out of his jacket, crawled underneath to get in and

at least get his briefcase so he could deal with the arbitration the next day, at that point, the people who do the towing arrived, and they've got this thing going — they've got this business going like you have never seen in your life, if you and I had it "Jeep" we could retire for life. Probably fifty cars a night at forty bucks a clip and they get all the action, unless there is a payback, which I do or do not know, to the people who pass the cards out. I don't know that, I'm not making any allegations because I don't know.

**The Chair:**

Is one outfit doing it?

**Michelle Madoff:**

It's one outfit, it's called Daveys, I have the card. Now, the gentleman from Sears, his name is Irvin Bales, I believe is going to take litigation, legal action from — they picked the wrong guy, from Baskin & Sears. They asked me if I would take a freebee so we would forget about it and I said to the reporters, "Put that down", they then said, "Would you make trouble for somebody trying to make a living, just by bending the rules a little bit?", I said, "Write that down". The upshot of the story is that my concern and I hope it is your concern as President of Council and I am sorry that Mr. Stone didn't stay long enough, is that as Finance Chairman, why should we have somebody picking up cars at forty dollars a clip, where you can't pick it up after twelve, they are violating the law, they don't have a guard on duty and more important, the City isn't getting that forty bucks. I must say this is Thursday or Friday, I got Danny Pellegrini and he said it is legal, they said, Station Square thought it was illegal, they said it is legal for us to enter their property, we can go in as a City towing truck and we can tow the truck to the City pound and we as taxpayers can have some of that money. Now while it may cost us whatever the dollars might be to the tower, so what? If we got half of 50 cars a night at forty bucks a clip, what have we got? Somebody with some quick calculations, is anybody here good with math.

**Mr. O'Malley:**

What about the Grand Concourse, did they enter into an agreement with the towing company or is it the City of Pittsburgh?

**Michelle Madoff:**

No, the Grand Concourse and there are several divisions of it, this one particular division, the Station Square Management entered into it and they were under the impression, the man who is running it has only been there five months, that the City said we couldn't enter the property because it is private property. Danny Pellegrini says that is not true and my concern is simply that I want that forty dollars in the City Pound and more important, I want people, particularly strangers coming to town for a game or what have you, to be able to get their car after twelve, don't you? How would you like to be here from 12:15 until 10:00 the next day without a car?

**The Chair:**

Alright, two things here, you are saying that the people at the Grand Concourse weren't under the impression, or didn't have the knowledge that City vehicles could do the job that they are contracting some other company to do.

**Michelle Madoff:**

That is correct sir.

**The Chair:**

Obviously it is immaterial to the Grand Concourse people as to who takes those cars as long as they get them out of there and you are saying if somebody else takes them the City loses that revenue and you are making a good point so we ought to look into that.

**Michelle Madoff:**

But even so, look at the bad will we create for the City.

**Mr. O'Malley:**

No, I think its bad for the Concourse over there.

**Michelle Madoff:**

But look at us, somebody comes to visit the City and they can't get their car and they've got to leave town. At 12:15 they can't leave town they don't have a car. They stop at 12:00.

**The Chair:**

How many cars did you say they are averaging a night or on weekends?

**Michelle Madoff:**

I was there at 11:30 at night and there were still six cars there and they had these two people with this walkie-talkie, you know, they could talk back and forth to each other, they must have been towing cars "Jeep" like you couldn't believe.

**The Chair:**

Well, does it state rather clearly it is a tow away zone?

**Michelle Madoff:**

It says — I have no quarrel with that. I mean, my friend happened to be parked, this is not the same person —

**The Chair:**

I don't either, but I just wonder why the heck anyone would park there knowing damn well they are risking a forty dollar charge.

**Michelle Madoff:**

That isn't the issue, my friend was parked where there was no sign, it didn't say parking or no parking and she got towed and they won't take anything but cash, no checks, no nothing, they want no

records. I got a receipt and I made him sign for it.

**The Chair:**

Yes but Michelle, the forty dollars that is collected, if I can piece this together, the City collects that.

**Michelle Madoff:**

No, not a dime, that is what I'm trying to tell you.

**The Chair:**

Well the City doesn't collect it and you can't get that car unless you pay that fellow down at the pound.

**Michelle Madoff:**

It doesn't go to our pound it goes to their private little parking space.

**The Chair:**

It doesn't go to the City pound?

**Mr. Flaherty:**

You pay a fine, but you don't pay for the towing.

**The Chair:**

If they take a car to the City pound —

**Michelle Madoff:**

No, no, they take it to their own place.

**The Chair:**

Alright, I'm saying at the City pound you must automatically pay forty dollars in storage to get that car out, and you are saying the car is going to a private pound?

**Michelle Madoff:**

That's right, five blocks away and Number 7 Police Station —

**The Chair:**

Then you are telling me in effect, they are stealing the cars.

**Michelle Madoff:**

"Jeep" let me tell you how bad it is, they have had fist fights, they have —

**The Chair:**

Well you tell me, who has the right to take a car from a City street and bring it to a private pound.

**Michelle Madoff:**

They put guns to their heads.

**The Chair:**

The only place they tow cars should be the City pound.

**Michelle Madoff:**

You're right, you've got it, what are you going to do about it?

**The Chair:**

I'm going to have to look into it.

**Mr. Flaherty:**

This is to a private pound Michelle?

**Michelle Madoff:**

Right, five blocks from Station Square, it is the biggest racket going.

**The Chair:**

The way I look at it they are stealing the car.

**Mr. Flaherty:**

I agree wholeheartedly Michelle I think we should check into it.

**Michelle Madoff:**

I want a Post Agenda hearing on it.

**Mr. Flaherty** moved to approve the minutes of Tuesday, October 14, 1980.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Flaherty**

Council adjourned.

1. The first part of the report is a general introduction to the subject of the study.

2. The second part of the report is a detailed description of the methods used in the study.

3. The third part of the report is a discussion of the results of the study.

4. The fourth part of the report is a conclusion and a list of references.

5. The fifth part of the report is a list of appendices.

6. The sixth part of the report is a list of figures and tables.

7. The seventh part of the report is a list of footnotes.

8. The eighth part of the report is a list of references.

9. The ninth part of the report is a list of appendices.

10. The tenth part of the report is a list of figures and tables.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, November 3, 1980

No. 42

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, November 3, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 1955 Resolution amending Resolution No. 641, effective 8-18-76, "Providing for a Contract/s for street improvements on

Fifth Avenue from Bouquet Street to Bellefield Avenue, (PW 76-14), providing for payment of costs and providing for a Reimbursement Agreement/s with the Commonwealth of Pennsylvania, Department of Transportation", by amending the title and increasing the funding sources by Three Hundred Thousand Dollars (\$300,000.00).

Also,

No. 1956 Resolution amending Resolution No. 576, approved on July 27, 1976, effective July 28, 1976, entitled "Providing for a Contract or Contracts for the construction of Fifth Avenue from Craft Avenue to Bouquet Street (PW76-8); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by amending the title and increasing the funding sources by \$300,000.00.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 1957 Resolution amending Ordinance

nance No. 290, approved June 13, 1968, entitled, "An Ordinance designating certain streets in the City of Pittsburgh as Mall Streets and Mall Transit Streets; providing for the regulation of such streets, and penalties for the violation thereof", by revising Mall Transit Streets.

Also,

No. 1958 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$25,486.97 to Beckwith Machinery Company for repairs to Public Works heavy equipment vehicles.

Also,

No. 1959 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$38,300.00 for extra work in connection with rehabilitation of Herron Avenue, Controller's Contract Nos. 22726 and 22726-F.

Also,

No. 1960 Communication from Louis R. Gaetano, Director, Department of Public Works, transmitting sixty-day trial traffic regulations on Forbes Avenue and other streets listed therein beginning October 31, 1980.

Also,

No. 1961 Petition from the Homewood-Brushton Community Improvement Association requesting a hearing before Council to object to the placing of the City's new rubbish receptacles in their neighborhood.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 1962 Resolution providing for an A/E agreement in connection with No. 42 Fire Station, Chestnut Street at a cost not

to exceed \$80,000.00 payable from 1979 CDULO (4-40-01-1945-79-925-79-25), Department of Lands and Buildings.

Also,

No. 1963 Resolution repealing Resolution No. 206, effective 4/4/80, entitled, "Providing A/E Agreement in connection with No. 42 Fire Station, Chestnut Street at a cost not to exceed \$50,000.00, payable from LB76-01 (4-25-01-1945-76), Department of Lands and Buildings".

Also,

No. 1964 Resolution providing for a contract or contracts in connection with Public Property Sidewalks at a cost not to exceed \$50,000.00 payable from Capital Project #LB 80-14 (4-25-15-0003-80), Department of Lands and Buildings.

Also,

No. 1965 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$1,600.00 to General Elevator for extra work in connection with modernization of Elevator "H" City-County Building to be payable from LB 78-10, Public Buildings Access by Handicapped, Department of Lands and Buildings.

Also,

No. 1966 Communication from Harold West, Director, Department of Lands and Buildings, requesting Interim Approval of payment of \$3,000.00 to AllState Industries, Inc., for extra work in connection with rehabilitation of Fire Station Nos. 16 and 20, to be payable from CDLB 77-01, Ten Fire Stations Rehabilitation, Department of Lands and Buildings.

Also,

No. 1967 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,992.15 to Celli-Flynn and

Associates for extra services in connection with design and reconstruction of Sheraden Library and Community Building to be payable from Capital Project CDLB 80-05, Sheraden Library/Community Center, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 1968 Resolution authorizing the transfer of \$75,000.00 from Code Account 1154, Motorized Equipment, \$30,000.00 from Code Account 1154-1, Rental of Motorized Equipment \$130,000.00 from Code Account 1099-2, Over Authorized Salaries and Wages and Reserve Fund Debt Service Auditorium Authority to various accounts all within the Department of Supplies, as listed.

Also,

No. 1969 Resolution authorizing the transfer of \$166,000.00 from Code Account 42-2, Council's Contingent Fund, \$185,000.00 from Code Account 1154, Motorized Equipment and \$30,000.00 from Code Account 1154-1, Rental of Motorized Equipment to various accounts all within the Department of Supplies, as listed.

Also,

No. 1970 Resolution transferring the sum of \$381,500.00 from Code Account No. 1461, Salaries and Wages, Department of Fire to various code accounts within the Department of Supplies.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1971 Resolution repealing Resolution No. 1063, approved October 23, 1980, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment for the Department of Supplies, and the payment thereof."

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1972 Resolution amending Ordinance No. 467, approved December 30, 1968, entitled, "An Ordinance prescribing compulsory retirement for members of the Bureau of Fire and Bureau of Police covered by the Firemen's Pension Act, other than bureau heads and their assistants and deputies, upon attainment of 65 years of age and 20 years of service, commencing July 1, 1965", by exempting City Council's Sergeant-at-Arms from the provisions set forth in the Ordinance.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 1973 Resolution providing for a contract or existing contracts for "Street Lighting", including other work incidental thereto, at a total cost not to exceed \$450,000.00, chargeable to and payable from Capital Project Funds 4-30-05-0001-80 and 4-30-0001-80-41-80-30.

Also,

No. 1974 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Traffic Signal Equipment for the Department of Public Works, the cost of which is not to exceed \$25,000.00, chargeable to and payable from Capital Project Fund 4-01-0001-78 (PW 78-17), Traffic Signal Equipment, Department of Public Works.

Also,

No. 1975 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of office equipment and furniture for the Department of Housing, the cost of which is not to exceed \$7,000.00, chargeable to and payable from Code Account No. 1378, Equipment, Department of Housing.

Which were severally read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Michelle Madoff** presented

No. 1976 Resolution providing for the

issuance of a warrant in favor of Davison Sand & Gravel Company, 3rd Avenue and 4th Street, New Kensington, PA, 15038, in the amount of \$706.81, chargeable to and payable from Code Account No. 1714, Materials, Department of Water.

Also,

No. 1977 Resolution providing for the issuance of a warrant in favor of Weinman Pump and Supply Company, 110 Delta Drive, P.O. Box 11403, RIDC Industrial Park, Pittsburgh, PA 15238, in the amount of \$818.00, chargeable to and payable from Code Account 1705, Repairs, Department of Water.

Also,

No. 1978 Resolution providing for the issuance of a warrant in favor of Kappe Associates, Inc., P.O. Box 1036, Rockville, Md., 20850, in the amount of \$3,951.00, chargeable to and payable from Code Account No. 1706, Equipment, Department of Water.

Which were severally read and referred to the Committee on Finance.

**Mrs. Masloff** presented

No. 1979 Resolution authorizing the issuance of a warrant in favor of Wenger Corporation in the amount of \$3,455.38 in payment for emergency repair work on the Parks and Recreation Showmobile, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Approved by Council Bill 1808 of 1980.

Also,

No. 1980 Resolution authorizing the issuance of a warrant in favor of H. S. Westover, Inc., in the amount of \$1,495.00 in payment for emergency repair work on the Parks and Recreation Showmobile, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Approved by Council Bill 1807 of 1980.

Also,

No. 1981 Resolution transferring the amount of \$115,000.00 from the Community Swimming Pools Trust Fund (CSPTF) to the Unrestricted Cash Balance in the Department of Parks and Recreation.

Also,

No. 1982 Resolution repealing Resolution No. 892, effective September 26, 1980, entitled, "Authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$6,064.10 in payment for work performed at Ammon Recreation Center furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which were severally read and referred to the Committee on Finance.

Also

No. 1983 Resolution amending Resolution No. 818 approved August 19, 1980, effective August 25 1980 entitled, "Resolution providing for an Agreement or Agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging, providing for reimbursements to the City by Allegheny County Institutional District for supplies and equipment expenditures in connection with the Senior Citizens Program.

Also,

No. 1984 Resolution amending Resolution No. 191, effective September 26, 1980, entitled, "Providing for an Agreement or Agreements with the Architects of the new West End Shelter House, the Westwood Pool, and the Highland Bathhouse for professional services in connection with the design and installation of works of art at these locations; and providing for the payment of the cost thereof" by increasing the authorization to \$8,700.00.

Also,

No. 1985 Resolution further amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by providing for an additional appropriation of \$115,000.00 for Project PR 79-05, 4-10-05-1380-79, Swimming Pools including Brookline and Highland Park Bathhouse, in the Department of Parks and Recreation.

Also,

No. 1986 Resolution repealing Resolution No. 1212, effective December 31, 1979, entitled: "Providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof."

Also,

No. 1987 Resolution repealing Resolution 935, effective 9/26/80, "Repealing Resolution 1389, approved 12/8/78, effective 12/14/78, providing for a contract to repair restrooms at Ammon Recreation Center and providing for the payment of the cost thereof".

Also,

No. 1988 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the renovation of Highland Park Swimming Pool Bathhouse; and providing for the payment of the cost thereof, cost not to exceed \$115,000.00.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. O'Malley presented

No. 1989 Resolution providing for the issuance of a warrant in favor of the Stoelting Company, in the amount of \$264.49, for repairs to Polygraph equipment chargeable to and payable from Code Account No. 1451, Repairs, Department of Police; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 1990 Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Agreement/s with East Hills Park Three, Inc., for the purpose of correcting a soil erosion condition existing on or under properties under the control or jurisdiction of East Hills Three, Inc, at a cost not to exceed \$100,000.00, chargeable to and payable from C.A. #CC-80-01, Unspecified Local Options.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 1991 Resolution providing for an Agreement/s with Health and Welfare Planning Association for professional services in connection with organizing and administering a Technical Assistance Center; and providing for the payment of the cost thereof. Cost not to exceed \$55,000.00, payable from CP 79-02, CDBG, Citizen Participation and Information.

Also,

No. 1992. An Ordinance amending Ordinance No. 33, enacted 29 October, 1979, by extending the date from 29 October, 1980 to 1 July, 1981, in which the approved Subdivision Site Plan is to be recorded in the County Deed Recorder's Office.

Also,

No 1993 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Director deLuca and Nancy Kirk to attend the National Development Council's Advanced Concepts in Economic Development Financing training session, Pittsburgh, Pa., November 17-21, 1980, at a cost not to exceed \$150.00, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Also,

No. 1994 Communication from Paul C. Brophy, Director of Housing, requesting permission for Norma Sue Madden, to attend workshop on Integrating Energy Conservation with Housing Rehabilitation, Hartford, Conn., November 14-15, 1980, cost not to exceed \$480.00, payable from Community Development Block Grant Trust Fund, CDHDA, Administration (HD-79-08).

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 1995 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$280,000.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from August 25, 1980 through October 5, 1980.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 1996 Resolution providing for issuance of a warrant to Sharon Schiffhauer, c/o David P. Siegel, Esq., in the amount of \$2,600.00, in full settlement of a claim arising from personal injuries resulting from a falldown at No. 7 Police Station in the City of Pittsburgh on March 15, 1977.

Also,

No. 1997 Resolution providing for the issuance of a \$2,864.00 warrant in favor of Simeon and Tina Koutoufaris in settlement of claim for property damage by City tree roots, charging same to Code Account No. 46, Judgments.

Also,

No. 1998 Resolution providing for the issuance of a warrant to William Pekular, c/o Harry W. Miller, Esquire of a claim arising from personal property damage resulting from a motor vehicle collision on Chartiers Avenue, Pittsburgh, PA on January 1, 1980.

Also,

No. 1999 Resolution transferring \$3,000.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 32, Refunds, Protest Towing and Storage Charges, Department of City Treasurer.

Also,

No. 2000 Resolution transferring the aggregate sum of \$8,000.00 within Code Accounts of or administered by the Department of Law as follows: \$5,000.00 to Code Account 1081, Petty Claims; \$3,000.00 to Code Account 1076, Witness Fees.

Also,

No. 2001 Resolution providing for a transfer of \$10,000 from Code Account 1043, Miscellaneous Services, Information Systems, Mayor's Office to Code Account

1044, Supplies, Information Systems, Mayor's Office.

Also,

No. 2002 Resolution amending Resolution No. 763, approved August 8, 1980, "Transferring the sum of \$4,367.93 from CETA Trust Fund, Federal Funds to Code Account 1100, Miscellaneous Services for the time period August 1979 through June, 1980."

Also,

No. 2003 Resolution providing for an agreement or agreements with a consulting firm for professional services for a cash management training course for the City of Pittsburgh and providing for the payment of the cost thereof, cost not to exceed \$1,000.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 2004 Resolution providing for an Agreement or Agreements with ACTION-Housing, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof not to exceed \$89,438.00, payable from CETA Title II.

Also,

No. 2005 Resolution providing for an Agreement or Agreements with Program Research and Development Inc., to provide educational tutoring and counseling services, for City of Pittsburgh, C.E.T.A. Career Advancement Voucher Demonstration Project participants and in-service training to C.E.T.A. Career Advancement Voucher Demonstration Project Counselors, and providing for the payment of the cost thereof. Cost not to exceed \$55,286.00.

Also,

No. 2006 Resolution authorizing the City Controller to engage the services of

Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$4,000.00.

Also,

No. 2007 Communication from Raymond E. Johnson, Jr., Deputy City Controller, requesting interim approval of \$300.00, for emergency printing of 1,100 checks to hold over until the main order is delivered, chargeable to and payable from Code Account 1048, Miscellaneous Services. Wallace Act Legislation will follow.

Also,

No. 2008 Communication from Ronald C. Schmeiser, City Treasurer, requesting interim approval of payment of \$6,986.52 for payroll and tax forms.

Also,

No. 2009 Communication from John F. McGrady, City Controller, submitting financial condition of the Sinking Fund for the City of Pittsburgh as of September 30, 1980.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2010 Report of the Committee on Finance for October 29, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1835

A Resolution entitled, "Resolution authorizing the reduction of the retained percentage from 10% to 3% on the "B" Program, Rehabilitation of Various Streets, Park Roads, with Asphaltic Concrete or other materials

including Regrading, etc., Sewer Construction, Water Lines, Appurtenance, Casciato Brothers Contractors, PW77-30/PW80-32 Controller's No. 22888".

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1836

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of J JAC Construction Company in the amount of Twenty-Three Thousand Three Hundred Thirty-Nine Dollars and Twenty Cents (\$23,339.20) in payment for EXTRA WORK in connection with the repaving/widening of Fifth Avenue from South Highland to Penn Avenue, etc., PHASE II, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof".

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"



The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone

Ayes 6    Noes 1

(Mr. DePasquale voting no)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1846

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Clairton Slag, Inc., P.O. Box 10884, Pittsburgh, PA 15236, in the amount of \$494.55 in payment for granulated slag furnished for the benefit of the City and providing for the payment thereof".

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 1847

A Resolution entitled, "Resolution transferring \$14,000.00 from Code Account Nos. 1700, 1795 and 1796 to Code Account No. 1792".

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1854

A Resolution entitled, "Resolution transferring the total sum of \$508,000.00 from Code Account No. 42-2, Contingent Fund to the following accounts: C.A. No. 1443-4, Premium Pay, \$500,000.00; C.A. No. 1443-6, In-Grade Pay, \$8,000.00".

Which was read

**Mr Stone:**

Mr. President, if I may, on Bill No. 1854, I requested, last Wednesday, for them to let us know by today, what less than that on a monthly basis they would need. It was represented to us last Wednesday that they

had the information the week before. We are here now and nobody has come to indicate what that changed figure is. I had indicated if we didn't receive it I would move to recommit, I therefore move to recommit Bill No. 1854.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

**Bill No. 1862**

A Resolution entitled, "Resolution providing for the issuance of a \$8,000.00 warrant in favor of William A. and Mary Ann Zink in full settlement of claim for damage and providing for the payment thereof".

Which was read.

Also,

**Bill No. 1863**

A Resolution entitled, "Resolution providing for the issuance of a warrant to Rosemary Markham in the amount of \$3,000.00 in full settlement of claim for personal injury and providing for the payment thereof".

Which was read.

Also,

**Bill No. 1864**

A Resolution entitled, "Resolution providing for the issuance of a \$20,500.00 warrant to Allegheny Cemetery in full settlement of claims for damages, for waterline easement and acceptance of easement and providing for the payment thereof".

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Mrs. Masloff</b>	<b>Mr. Stone</b>
<b>Mr. O'Malley</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 6    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Robinson** presented

No. 2011 Report of the Committee on Planning, Housing and Development for October 29, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1814**

A Resolution entitled, "Resolution authorizing that Urban Redevelopment Authority of Pittsburgh acquire the property in the 2nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 9-D, Lot Numbers 200 and 225, owned by Consolidated Rail Corporation, and providing for the payment of the cost thereof under the Industrial Land Reserve Fund".

Which was read.

Also,

**Bill No. 1815**

A Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the rehabilitation and management of the Conrail Produce Terminal in the 2nd Ward, City of Pittsburgh".

Which was read.

Also,

Bill No. 1858

A Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant or consultants to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof".

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2012 Report of the Committee on Supplies for October 29, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1843

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of a video cassette playback system for the Commis-

sion on Human Relations and for the payment thereof."

Which was read.

Also,

Bill No. 1891

A Resolution entitled, "Resolution providing for a contract or existing contracts for the furnishing and delivery of litter cans with galvanized inner liners for the Department of Public Works and the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

Ayes 6 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 2013 Report of the Committee on Water for October 29, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1848

A Resolution entitled, "Resolution amending Resolution No. 1350, approved Decem-

ber 30, 1977, amended by Resolution No. 1084, approved October 2, 1978, amended by Resolution No. 563, approved June 21, 1979, amended by Resolution No. 37, approved February 11, 1980, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds', by adding to the title of line item WD-78-3."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

No. 2014 Report of the Committee on Parks and Recreation for October 29, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1849**

A Resolution entitled, "Resolution providing for a contract or contracts for the cross country ski concession at Schenley Park."

Which was read.

Also,

**Bill No. 1850**

A Resolution entitled, "Resolution providing for the letting of a contract or contracts in connection with the renovation improvement of the Children's Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 1851**

A Resolution entitled, "Resolution amending Resolution No. 264, effective April 11, 1980, entitled, 'Providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Environmental Resources (DER) for the City's Young Adult Conservation Corps Project' by increasing the allowable amount of reimbursement."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

Ayes 7    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

No. 2015 Report of the Committee on

Public Safety for October 29, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1855

A Resolution entitled, "Resolution providing for a contract or contracts for the design and construction of an addition to the Pittsburgh Police Academy and the construction of a new Canine Training facility, located at Washington Boulevard at Negley Run Road; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1856

A Resolution entitled, "Resolution providing for a contract or contracts for the construction and relocation of the Police Identification Section, located at No. 1 Police Station, First Floor of the Public Safety Building; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 2016 Report of the Committee on Lands and Buildings for October 29, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No 1797

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts in connection with Renovation of Various Public Buildings and providing for the cost thereof, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 1840

Resolution repealing Item (J) of Resolution No. 1024, approved 11/21/79, authorizing the sale of lot in the 28th Ward on Norwalk Street, designated as Block 40H, Lot 40 to Robert and Annette Marshall, his wife, for the sum of \$500.00. Resolution is to return hand money to purchasers.

Which was read.

Also,

Bill No. 1841

Resolution repealing Item (I) of Resolution No. 1024, approved 11/21/79, authorizing the sale of lot in the 28th Ward on Elmont Street designated as Block 40-H, Lot 4 to Robert and Annette Marshall, his wife for the sum of \$2,000.00. Resolution is to return hand money to purchasers.

Which was read.

Also,

Bill No. 1842

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Mrs. Masloff</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

**The Chair presented**

No. 2017 WHEREAS, Hiram Milton has served on the Community College of Allegheny County's Board of Trustees from December 8, 1965 to August 8, 1980; and

WHEREAS, Hiram Milton has provided the College with unique leadership during its formative years enabling the dream to become a reality for all the citizens of the City of Pittsburgh and Allegheny County; and

WHEREAS, he has led a highly respected Board through challenging economic and

social changes in the development of Community College from the planning stages to the present four campus comprehensive community colleges and over 71,000 students.

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Mayor and the members of the Council of the City of Pittsburgh recognizes and applauds the great achievements of Hiram Milton as a member on the Community College of Allegheny County's Board of Trustees and expresses appreciation for his dedicated service not only to the people of the County of Allegheny but also to the citizens of the City of Pittsburgh.

Which was read.

**Mr. Givens moved for adoption.**

**Mr. Stone seconded the motion.**

Which motion prevailed.

**Michelle Madoff:**

Is he retiring?

**The Chair:**

Just from the Community College Board, not from RIDC.

**Mr. Givens:**

I'd like to make some other comments on Hi Milton, the fact that I have served with him in the Pittsburgh Countywide Corporation, I think his sensitivity to that particular corporation bars out what you are saying in this particular resolution. I think Hi has made tremendous contributions to this Administration and to the City as a whole and his sensitivity in the areas of minority contracting, small businesses and normal type businesses has been something that has been a great advocate to this City.

**The Chair:**

I think we all can be proud of the

fact that Hi Milton is part of Allegheny Count, he is a very wonderful gentleman.

Also,

No. 2018 WHEREAS, on November 14, 1980, the Pittsburgh Council for International Visitors will celebrate its 20th anniversary and welcome its 50,000th visitor; and

WHEREAS, the Pittsburgh Council for International Visitors is a non-profit, non-sectarian organization made up of more than 1,400 families of varied interests and backgrounds who are hosts to visitors from abroad; and

WHEREAS, the Pittsburgh Council for International Visitors plan programs and activities for more than 2,500 visitors annually, carefully considering the individual interests of each foreign visitor and endeavoring to make it convenient and comfortable for them and their families to share experiences with area citizens.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby recognize and command the Pittsburgh Council for International Visitors for their humanitarian efforts in opening the channels of communication and hospitality between our City and thousands of visitors from more than a hundred foreign countries and extends sincere congratulations to PCIV on their 20th anniversary.

Which was read.

Mr. Givens moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

Mr. Stone:

Mr. President, I got an opinion from the General Counsel, John Wickes on Bills

1814 and 1815 relative to the Industrial Land Reserve Fund. I don't think he has totally answered it, but he is aware of the question we have proposed, I would like this to be included with those bills Mike, we have at least asked the question.

Mr. Perry:

Yes sir.

Mr. Givens:

Mr. President, I think it would be very appropriate at this time if this Council would observe at least 30 seconds of silence, if we would please stand for the memory of those prisoners we have over in Iran today and the fact that we just passed by the one year captivity of those 50 some men.

The Chair:

Very good thought Mr. Givens, please rise and say a silent prayer.

Moment of Silence.

The Chair:

Thank you.

Michelle Madoff:

As you recall last meeting, I reported on an incident that took place in the City and I think everybody had left Council and you were a little appalled at what I told you and I think it is worth repeating, and I will check with Mike Perry to see whether we have scheduled a hearing on the Station Square tow truck situation, have we scheduled that yet? Have we given you the names?

Mr. Perry:

I don't have the names.

Michelle Madoff:

Alright, we have the names for you

today. To bring Council up to date, cars are being towed from Station Square, there are three different operators there, but one particular one is towing them to a company, into a lot, a pound, within five or six blocks of Station Square, they charge \$40, they will not take anything but cash, I believe we don't either in the City, but the City is not getting any of the revenue, they close at midnight and if it is a Saturday you cannot get your car until Monday, so if we have guests in from out of town on a Saturday until Monday, its just too bad. When you try to find out —

**Mr. Givens:**

Excuse me, is there not only one pound in the City of Pittsburgh?

**Michelle Madoff:**

This is a private contractor — its a private —

**The Chair:**

Dick, she is saying that, I don't know if you were here last week or not, but they are towing them from Station Square to a private pound. I said, in effect, they are stealing the cars. They can tow those cars but they have to take them to the City pound.

**Mr. Givens:**

They must take them to the City pound.

**The Chair:**

They are not taking them to the City pound.

**Michelle Madoff:**

That is what I am trying to tell you, can I tell my story please?

**The Chair:**

Its purely illegal, that is the same thing as stealing your car, picking it up and

taking it where you want to take it. If they took them to the City pound I could understand it.

**Michelle Madoff:**

Okay, now, Mr. DePasquale, I want to continue, that is the issue, they are not taking them to the City pound, they are charging \$40. I just happened to bump into a young man, I had had some dinner and I was just leaving Station Square and a young attorney who works for Baskin and Sears whose name is Irvin Bales, came running after me and said, "Michelle can you give me a ride home?" I said, "What's the matter?", he said, "My car was towed", I said, "Let's call 911, I'll take you and you'll get your car out". Now, I had no quarrel about his paying his fee, I had no quarrel about his being towed from a space that was marked reserved parking, if he is guilty he should pay it, but I don't see why, to go to a private towing place at \$40 and let me tell you what happens. If you want to get your car back, you have to run all around Station Square and I ran around in a sheer blouse, it got very cold that night, I was sick the next day and couldn't find how you find out where to get the car back. Finally, after going to four places, the Cheese Cellar and some other places there, we found out there was a policeman who is off duty and works in the center of Station Square and he gives out the card, it is called Davison Company. You call this phone number and the phone number refers you to another phone number. The first one states the state law on having cars towed, which Baskin's firm believes to be illegal, we have an opinion on that and we are going to have a hearing.

We went through 90c, nine calls and the calls rang busy, but even though it rang busy it would shut you off and you lose your dime. Finally we called 911 and they sent No. 8 Police Station, two policemen out from No. 8 Station, they knew exactly the situation and they took us to the pound and I subsequently talked to both the police and to Station Square, Station Square is under the impression that the City cannot



tow their cars when they are parked illegally. I have checked with Dan Pellegrini, he said that is not true, we most certainly can pick them up, while there would be maybe a fee of \$26 the balance would at least go into the City till and people could get their cars 24 hours a day, because some months ago I arranged to have somebody there on Sunday and around the clock 24 hours.

So, not only am I complaining about the fact that they are not there, but the money is not going into the City kitty. Now people have started calling my office to say, "I've been a victim of the same thing, because I think it was carried by one station only, the other lost the tape or there was some problem, and people have started calling the office and what they are telling me is that one man said he had a car with a gun in it, he will be at our hearing, and they wouldn't take his check, he didn't have a check, and they would take his gun as security. Now this is an unbelievable story, the point of the story is that we are having a Post Agenda meeting, I would hope Council would support seeing that the City tow trucks, or the City take over that operation so the money would go into the City till and not into a private person's pocket where they are towing cars like crazy at \$40 a clip and they are not obeying the law, their own agreement with Station Square to have a guard on duty and to have the cars available 24 hours a day.

I thought it was important that Council know about it, I think Mr. Stone is aware of the problem.

**Mr. Stone:**

I am aware of it and we are looking into that thing, but the problem that I see is, I don't know how you can send a City vehicle or their agent to remove a vehicle from someone else's private property.

**Michelle Madoff:**

That was what they said Mr. Stone, so I checked with Danny Pellegrini, he said,

"No, we have the right to enter", we do have that right.

**Mr. Stone:**

I'm not so sure of that.

**Michelle Madoff:**

Well that is why we are having a hearing.

**Mr. Stone:**

There may be a problem there.

**Michelle Madoff:**

Danny says we have the right and we are having a hearing on it.

**Mr. Givens:**

Michelle, I don't want a hearing on it, I think we should take some action from the various departments within the City, I can think of the Treasurer being involved, the Department of Supplies, because that comes under the tow pound, and the Police Department.

**Michelle Madoff:**

Well that is what we are going to do, get them all together.

**Mr. Givens:**

No, no —

**The Chair:**

She's talking about a Post Agenda, I think if we get Inspector McDaniel from Traffic there —

**Mr. Stone:**

Mr. President, if I may, I don't know that the City is responsible for removing those cars. What I am gathering here is there may be some right for what they are doing, is that these people are parking ob-

viously in key spots at Station Square. The Station Square people have a right to remove those vehicles and not just say, "When they come back fine, we'll chastise them and that is it", beyond that I think she may be on the right target. They are taking it to some lot and they are not making it convenient and it is just the way it is done and I think that needs looked into. I don't really think it is —

**Mr. Givens:**

At Station Square no one has the right to remove any vehicle from any roadway within the City of Pittsburgh other than the Pittsburgh Police Department through authorized towing services.

**Mr. Stone:**

That is not City property, Mr. Givens.

**Mr. Givens:**

It makes no difference if it is City property or not.

**Michelle Madoff:**

I have spoken to Station Square and they were under the impression, that Mr. Stone has just said, that the reason they had to get a private tower is that the City would not do it. Danny Pellegrini informs me that the City can enter and I think your point is well taken, we ought to get everybody together at a Post Agenda as quickly as possible and find out. This is not to chastise Station Square, although we do subsidize them and try to do everything — and Mr. Stone has been working very hard and very diligently to try to do something about that corner at Carson, the entrance to Station Square, we try to subsidize them in various ways through UDAG, not UDAG, but various dollars and I think that money should go to the City if possible, if it isn't then, as Mr. Stone says, if it is not being done properly, at least, the City people coming to visit our City should not be in a position where they can't get their cars back at midnight. I further learned from

Station No. 8 that Station No. 7 has handled more of this and that there have been fights, guns put to the head of the men who tow their cars, there have been fist fights, it has been a horrendous situation that everybody knows about out there and we have a responsibility as legislators to intervene and try to solve that problem.

**The Chair:**

For the most part, are these customers of Station Square?

**Mr. Stone:**

Yes.

**The Chair:**

Don't they have a loudspeaker system there to tell those people, announce their license plate number and have them move?

**Michelle Madoff:**

I think they do but not in all the restaurants.

**The Chair:**

This is bad press relations to tow a car if it is a customer of yours, even if he is parked illegally.

**Michelle Madoff:**

You're right, it is not really feasible.

**The Chair:**

But the other part as Mr. Givens said, how do you take it to a private pound? That is stealing, I mean you just can't do it.

**Michelle Madoff:**

And one other thing, Mr. President, my personal friend who told me about this a month ago, because it was a personal friend I didn't want to pursue it and I didn't want to make an issue out of it, but her car was towed from a zone that wasn't

even marked no parking, her friend's was towed, and coincidentally and it may just be coincidentally, they put his car up on blocks, couldn't get his car down unless he gave cash and he didn't have cash, and by some mere coincidence, a week later all his tires were slashed. I think we need an investigation on this and very rapidly.

**Mr. Flaherty:**

I have a question Michelle, is there any court, say if your car is towed and you feel that they hadn't the right to tow it, where do you go for recourse?

**Michelle Madoff:**

Nowhere.

**Mr. Flaherty:**

Well, I think it should be investigated.

**Michelle Madoff:**

As a matter of fact, I said to the gentleman when I was standing there with the No. 8 Police Officers and Mr. Bales, he said, "Do you want a freebee?", I said, "Officers write that down", then he said, "Would you stop somebody from making a living by not bending the rules a little bit?" and I said, "Yes I would, write that down". So, I just want you to know that there is a very serious problem out there, they have this walkie-talkie between the two of them and they are going like lighting picking those cars up as fast as they can, and if you are unlucky enough to be past midnight that's just too bad. That is one item and we are scheduling a Post Agenda, is that correct Mr. DePasquale? To get all the parties together —

**Mr. Stone:**

Let's not have it this Wednesday, there are a lot of things up.

**Michelle Madoff:**

No, we are not doing it this Wednesday.

**The Chair:**

As Mr. Flaherty stated, if they have no recourse the only other is to get the parties that took the car for stealing the car.

**Mr. Givens:**

On this subject, I would like the letter to go to the people of Station Square and the P&LE Railways, the people who own and operate those facilities, letting them know the action that this Council wants to take and that they take interim action.

**Michelle Madoff:**

I've called them.

**Mr. Givens:**

To stop any occurrence of this in the future until we get resolution on it.

**Michelle Madoff:**

Mr. DePasquale, I have another very serious item. I was not at the President's town meeting last week because I had made a previous commitment —

**The Chair:**

He noticed you weren't there.

**Michelle Madoff:**

Aw, "Jeep" did you speak for me, say nice things?

**The Chair:**

He did say, "Where is Madoff and Stone?"

**Mr. Givens:**

"Jeep" you had better be nice because she brought rocks, ammunition today, so you've got to be nice.

**Michelle Madoff:**

I sure do — a lady by the name of

Mrs. Fedders called me twice at home, she has called me eight time. I went out to her place of business, she lives in a little shop right next to Rampa Marble, do you know where that is, under the Larimer Avenue Bridge?

**The Chair:**

Washington Boulevard.

**Michelle Madoff:**

Washington Boulevard under the Larimer Avenue Bridge. She lives, as a matter of fact, at 12455 Washington Avenue. We went out there —

**Mrs. Masloff:**

What kind of business is she in?

**Michelle Madoff:**

She is in the massage business.

**The Chair:**

Oh my.

**Michelle Madoff:**

Yes, six bucks is all they charge —

**The Chair:**

Members of the press did you hear this? Massage.

**Michelle Madoff:**

There are two businesses involved, she gives private massages —

**Mr. Stone:**

I'm not touching that line.

**The Chair:**

I know. She gives private massages.

**Michelle Madoff:**

And there is another business involved under the Larimer Avenue Bridge, its a machine shop that has \$100,000 worth of equipment under the bridge. I want to bring you, because telling you, and that is in photographs Mr. President, because telling you doesn't mean anything, you've got to see it with your own eyes. These are the pieces of metal and the rocks that are coming off the bridge. The people from the Bridge Department, Mr. Dick Pugh was out there and a couple of other people, claimed that this is obviously some support from the bridge. They have fallen right in the shop, right on the equipment and I have pictures of —

**Mr. Givens:**

Through the roof?

**Michelle Madoff:**

Through the roof and I have pictures of the roof and the damage that was done. It means nothing until you come see it.

**The Chair:**

What is that gentlemen? Is that the Larimer Avenue Bridge?

**Michelle Madoff:**

Larimer Avenue. I think somewhere along the line when you negotiate with contractors, some action has to be taken that they must have inspectors around the clock because it seems that is case we try to do something about it and the people think it is vandals, I don't think it is vandals because you couldn't lift most of this stuff, and even if you could, much of it appears to me from my little expertise in environment, could be erosion from water damage underneath and falling right into these houses. This is unbelievable, this went right through her living room. it went right on a piece of equipment that was worth hundreds of thousands of dollars, and we are liable, we are taxpayer's insurance and this is a

very serious problem and I would like to have a resolution of some sort, that in any bridge or any contract that we issue, that they have inspection round the clock, somebody, a guard, and that also we have some kind of protective mechanism. I don't know what that would be I'm not an expert, but now that this has happened they are putting some kind of planks of wood, but we are just lucky that the City doesn't have a million dollar lawsuit. We just paid a million dollar lawsuit.

**The Chair:**

Is the bridge still open?

**Michelle Madoff:**

The bridge is still open, they are still working on it.

**The Chair:**

Are they inspecting the bridge now?

**Michelle Madoff:**

Well, they think it is being done by vandals after hours. Now it is not the problem as it was previously, I think it was rain myself, water seeping underneath, but this woman called and called and called and called and the machine shop and nobody came out. I was there when an insurance man was there for the company. Who's going to pay? Us.

**Mr. Givens:**

Mr. President, there is one other thing that I would like to comment on in regards Veterans Hospital this weekend, there was to this too, in going over to Highland Drive actual pieces of concrete that were out on the roadway and vehicles, especially if you came up behind another vehicle and they were dodging to get out of the way of the vehicles and I think what they are going to have to do is build some type of a barricade, possibly, if you realize the bridge construction, that you have the major abutments straddling the road and it is on a

hillside, and as they do work up above, if it does fall down, or even on the underneath, which I don't think they are even working on. It does have a tendency to fall down and roll onto the roadway, so they have to put some type of barricade to prevent that.

**The Chair:**

Is this the same bridge?

**Mr. Givens:**

Yes, I didn't take any pictures, I didn't want to get a hernia carrying all that up there. But I would like to report that there is a definite problem out there and one of this stuff falling down is one, they are going to have to put some type of a barricade up to catch any debris that might come from the bridge, it is very simple, because you know, that is our bridge and what Michelle is saying is true, even though a contractor is doing that, the City of Pittsburgh can be sued, we can be held liable. The fact that we did not exercise proper security measures in catching anything that might fall from that bridge.

**Mr. O'Malley:**

Wouldn't that be the contractor's liability, don't they carry insurance on it?

**Mr. Givens:**

Well, the contractor can carry it too Jim, but there can be a suit that would overcome even his, the contractor could go bankrupt and all the responsibility of the suit could then initially come back. It is the City of Pittsburgh's responsibility in issuing the contract that proper safety is rendered to the people and the vehicles that use, or are underneath that bridge.

**The Chair:**

I think we ought to commission Mr. Albert to go out and take a look at that bridge and give us a report in the meantime, we should certainly be looking at that

bridge and repairing it where it should be repaired, maybe even close it down, I don't know.

**Mr. Stone:**

Public Works has money called, "Bridge Inspection", I don't see what the problem is, they ought to get to it.

**Michelle Madoff:**

Where does the money come from, I'm curious?

**Mr. Stone:**

Well, that comes into the budgetary process, if they find out they need it they have got to have it done. Wherever it is, they must inspect the bridge, find out the needs, and at that time you decide what you do about it.

**The Chair:**

... Okay, are we going to have Mr. Pugh in on Wednesday?

**Michelle Madoff:**

We can't have anybody else on Wednesday, but I think, see these are some problems that maybe we ought to schedule another day.

**Mr. Givens:**

I think the interim looking into it by those three department heads, and also notify the people out there that —

**Mr. Stone:**

Public Works ought to be told to check that bridge out and to review that contractor, if he is running short, there is a bond for double the amount of that job.

**Mr. Givens:**

Mr. President, I have something else,

there was a group that came in here last week when we had a shift in schedule on Wednesday and they were from the NAPA, that is an automotive parts distribution outfit that services the City of Pittsburgh's City Garage, wherein there is a strike that has been going on for some four months. The seriousness of it is that there have been many instances involving shooting, and things of this magnitude which lends emphasis to it, I don't know what we can do but they would like to come in and speak to the Council and Councilmembers in a session. Apparently this company is still delivering parts in unmarked vehicles, bringing them in from West Virginia to the City of Pittsburgh.

**The Chair:**

Dick, I don't know, that is a jurisdictional thing, I don't know where we enter into that thing. You could have a group in every day in the City of Pittsburgh, somebody is always on strike.

**Mr. Givens:**

Well, the seriousness of it is the fact if it would be curtailed, the City Garage would have to go out on other resources to get this type of automotive parts, but the danger involved, these men are wanting to speak to the members of Council because it affects one of the biggest, apparently, distribution agencies, is the City of Pittsburgh for this particular company.

**Mr. Stone:**

Yes, but we shouldn't get ourselves involved in a labor dispute.

**Mr. Givens:**

It is labor, Bob, they have gone to labor, it is in the courts.

**Mr. Stone:**

Let them go into court, that is where they should be.

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**Mr. Givens:**

Yes, it is in the courts, the thing is —

**Mr. Stone:**

I don't want to be a strikebreaker.

**Mr. Givens:**

It's getting pretty serious and they just wanted to talk to the members of Council.

Secondly, Mr. President and Chief Clerk, I don't want to bring this up in a public forum, but I think it needs airing out. Mike, I had sent out a letter from our distribution back there on 10/22/80 and it was postmarked on 10/27/80, I would appreciate if you would follow this through

and find out why in the hell it is taking our mail almost five days to get out of this building.

**Michelle Madoff:**

How about four days to go from my office to Yatch's office. Now I am delivering them personally.

**Mr. Stone** moved to approve the minutes of Monday, October 20, 1980.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.





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# Municipal Record

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## Proceedings of the Council of the City of Pittsburgh

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VOL. CXIV

Monday, November 10, 1980

No. 43

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### Municipal Record

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#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday, November 10, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Our first order of business is usually Presentation of Papers, but we will hold on that until we hear the Mayor's budget proposal. Would Councilwoman Masloff and Councilman Robinson escort Mayor Caliguiri into the Chambers please.

And now ladies and gentlemen I present the Mayor of the City of Pittsburgh, Richard Caliguiri.

#### Mayor Caliguiri:

The presentation of the 1981 City budget today marks the fourth time that I have appeared before Council for this purpose.

It provides a welcome opportunity to reflect on what we have achieved and the challenges that lie still ahead.

When I took office in the Spring of 1977, I stated my intent was to make up for a good deal of lost time, to recover a good deal of lost ground, to settle some old issues and to determine new directions to put Pittsburgh on the move again.

I recalled that consciously or unconsciously we, as a City, had allowed the flame to die which had ignited our civic pride and enabled Pittsburgh to rank with the best of America's cities in its commitment to urban progress and renewal.

But it was not too late to regain that drive, to restore that pride and to rededicate ourselves to the future of this City.

I appealed then — as I do again today — to every man and woman to join me in building a better Pittsburgh.

Four years ago I first alluded to Renaissance II and called for a revitalization of our neighborhoods and the re-establishment of the public-private partnership so vital to stimulating private investment in this City

— the kind of partnership that proved to be the successful catalyst for the first Renaissance.

Later that year, in my first budget message, I noted that there was already a new spirit being generated in the City and reiterated my strong conviction that Renaissance II would soon become a reality.

I knew then that much work had to be done and it is with great pride that I stand before you today in the knowledge that much work has been done. Even those early skeptics who sought to write-off Renaissance II as an administration pipe-dream must admit that it has more than fulfilled its initial promise and within a relatively short time.

We have come a very long way with Renaissance II — both in our neighborhoods and business districts.

I have stated repeatedly that the revitalization of our neighborhoods — the vibrant core and strength of our community — was and is my primary concern in Renaissance II.

And while the spotlight of attention has been focused on the major construction projects, we have been working with equal vigor to upgrade the City's deteriorated infrastructure and improve the standard of living in our neighborhoods.

Let me review briefly what has been done since 1977 to attain these goals:

...we have repaved or reconstructed 349 miles of streets — nearly 35 percent more than had been repaired in the previous six years combined.

...some 20 bridges have been repaired, replaced or inspected in-depth — 25 percent more than in the previous six years.

...approximately 22.5 miles of new water and sewer lines have been installed — again nearly twice the production for the first six years of the 1970's.

...an estimated \$42 million has been provided for the rehabilitation of 5,318 homes while another \$20 million has been provided for low interest mortgages for 450 home buyers — a record so impressive that it doesn't even bear comparison with the past.

...constructed 76 new recreational facilities including swimming pools, playgrounds, tennis courts, senior citizen centers and the like.

...initiated a year-around service to collect bulk refuse to replace the old, inefficient once-a-year Pa Pitt Program.

...provided new and quicker means of communication through the use of the 9-1-1 emergency number and the installation of new call boxes in the neighborhoods — helping to keep the City's crime rate below the national average.

...the needs of our Senior Citizens have also received considerable attention — as well they should. Despite our budget limitations and the continual reduction of federal funds in this area we have fully funded a comprehensive Senior Citizens program and now provide activities for Senior Citizens in 27 Centers throughout the City. The need for housing for the elderly was of paramount concern to me so planning and construction for such housing was accelerated with over 1,862 units of subsidized housing for the elderly built or approved over the last four years.

And to underscore our firm commitment to neighborhood improvements we recently announced the allocation of \$108 million in the 1981 Capital Budget and some \$441 million in the Six Year Development Program for our neighborhoods, representing 75% of total capital spending by the City.

And to ensure that all members of the Pittsburgh community share in the benefits of City construction activities and the overall development of this area, I will, in the very near future, announce a detailed and comprehensive minority business enterprise

policy involving all City departments and agencies.

The economic development phase of Renaissance II is equally as impressive as our neighborhood initiatives as evidenced by the building boom taking place throughout the City.

Allow me to mention some of these projects that will mean thousands of construction and permanent jobs for Pittsburghers and millions of dollars in tax revenues:

...Chatham Center II is well on its way to completion.

...just across the street excavation is proceeding for the 46-story Oxford Centre.

...plans are moving along for construction of the Dravo headquarters building and related Grant Street East improvements including the Light Rail Vehicle System.

...the demolition of old structures in Market Square is now underway heralding the start of the massive PPG redevelopment project.

...construction of Riverfront Center at Stanwix Street and Fort Pitt Boulevard is imminent.

...the rehabilitation of buildings in the First Side development along Fort Pitt Boulevard is on-going.

...the Convention Center is scheduled to open early next year and a developer for a new international hotel, office and shopping complex adjacent to the Center was selected just two weeks ago.

...the URA will soon purchase Penn Station for future development.

...renovation and rehabilitation of large sections of the Strip District is underway, enhanced by the City's purchase and planned rehabilitation of the Conrail Produce Terminal.

...Heinz Hall Plaza is nearing completion.

...the development and expansion of Station Square is underway with a major new hotel, marina and additional office space planned.

It is estimated that in the next five years construction projects in Downtown Pittsburgh and vicinity will inject over \$4 billion into the local economy — and that is only a conservative estimate.

The most exciting and encouraging part of all this is that there is still more to come.

I think it was in the "Jazz Singer" that Al Jolson first said: "You ain't heard nothing yet, folks." Well I'm here to tell you that you ain't seen nothin' yet either!

But even as we view the tremendous progress of the combined phases of Renaissance II, we should be mindful that the price of maintaining this tremendous effort and the cost of providing adequate and efficient supportive city services comes high and is growing as inflation erodes the economy.

The effect of inflation on City tax dollars and the slow and inadequate growth in the City's tax base can best be illustrated in these figures:

During the past four years, our local revenues — excluding the change in rates — have increased by only 21.7 percent or approximately 5 percent per year. In the same period, expenditures grew by 37.9 percent while the inflation rate was 39.5 percent.

At the same time federal funding for operating purposes declined from \$18.2 million in 1977 to an estimated \$11.6 million in 1980 — a loss of some 36.3 percent. Compounding this loss were costly changes in regulations affecting our federally-funded CETA program. The changes all but negated our use of CETA employees in vital areas of municipal services. We had to assume the full cost of our life-saving para-

medic program, for skilled tradesmen, parks and recreation employees and laborers.

The total cost we absorbed was nearly \$4 million.

There has been no aspect of city government where inflation has not taken its toll — in higher costs for utilities, automotive equipment, gasoline, oil, supplies and the like.

It was a combination of these budget problems and the unrelenting effects of inflation and the need for neighborhood rehabilitation that prompted our two-pronged campaign to reverse the direction in which the City was headed.

The status of the first element in that campaign — Renaissance II — in our neighborhoods and downtown — has already been reviewed. The second phase — and one that is every bit as essential — is our legislative program — a program that seeks to have all those who share in the benefits of a viable, progressive central city share equitably in paying for these benefits.

Just about a year ago, I wrote to the Governor's Tax Commission suggesting several avenues of tax revision that would equate the growing costs of maintaining the central city with its regional use.

I pointed out that while other states have developed revenue sharing and tax base sharing concepts, Pennsylvania has relied on its outmoded and inequitable tax anything and local tax enabling statutes to give local government some form of broader tax base. I offered my views on two particular tax revenue raising concepts that would be helpful to local governments, including a payroll tax on all those employed within a governmental jurisdiction regardless of residency with the right of the tax district to impose the levy and a broad based State revenue sharing program.

In support of Pittsburgh's position, I outlined a number of regional responsibilities

for which the tax burden is being carried almost entirely by City residents.

Pittsburgh is the home for 14 major national corporations which employ thousands — the great percentage of whom live outside the City; five major centers of higher education, twelve hospitals, Heinz Hall, theaters, the Civic Arena and Three Rivers Stadium, the zoo, the aviary and Phipps Conservatory.

If we were merely providing services for 440,000 residents — we would not need 1,400 police officers, 1,100 firefighters, the extensive and costly street system and emergency medical services we maintain and support.

Let us consider, for a moment, the impact of Renaissance I and II on those who rely on City commercial business and corporate interests for their livelihood. In the past 35 years, City administrations — past and present — have provided the initiative and leadership to keep these firms — and the jobs they provide — in the City. While Renaissance I and II have certainly benefitted the City and its residents — the benefits derived by non-residents are also considerable. The movement of these businesses to other areas of the country would have been catastrophic for all of us.

Let's keep in mind that the motivating force in protecting and preserving these jobs has been the City.

While the Tax Commission was addressing itself to the question of regional responsibility and financing, we prepared and announced last August specific legislative proposals dealing with the problem.

Both City Council and City legislators were briefed on the legislation which seeks an increase in the Occupational Privilege Tax from the current \$10 to \$40 and a companion proposal to eventually eliminate the occupational privilege tax after the adoption of an employment tax based on a percentage of wages with the situs of the tax being the place of employment. Also in-

cluded in the package were proposals for state aid for Three Rivers Stadium, our unfunded pension liability as well as our zoo, aviary and conservatory.

During the coming year our efforts will be concentrated on the successful resolution of these state-aid and tax revision measures — on both fronts — the State Legislature and the Tax Commission.

For herein lies the economic salvation of our City.

Which brings me to the subject at hand — the 1981 budget outlook.

I am pleased to announce that I am proposing a balanced budget for next year that will not require a tax increase.

Accomplishing this fiscal feat was no easy task.

But in view of the possibility, if not probability of the school board and county imposing new taxes next year, I felt it would have been unconscionable for this administration to add further to the economic hardship of our citizens.

When my staff and I began discussions on the budget several weeks ago, we found there was a gap of over \$16 million between projected revenue and departmental requests.

How to reduce this gap completely was a formidable challenge but we did it by taking the following actions —

...paring the department requests to the minimum needed to provide essential services.

...revising revenue estimates upward with the benefit of more current fiscal data and new economic projections.

...revising the General and Water Fund ending cash balance figures on the same basis.

...stripping the Sinking Fund of all unrestricted cash.

...recognizing additional revenues in penalties and interest on delinquent taxes and proposing that Council increase these charges to six percent annually on penalties and twelve percent on interest, so it is no longer attractive to avoid or delay paying taxes.

...using an indirect cost formula to recover the City's expenses for administering federal programs such as Community Development and CETA.

...intentionally underfunding all of our salary accounts by five percent. Traditionally, the City spends only 95 percent of its salary appropriations due to retirements and terminations during the year and the time required to meet union and civil service requirements to post, bid and test for vacancies.

What we have done, in effect, is to use every available dollar to balance the 1981 budget. Only in this way could we avoid a tax increase in a budget totaling \$187.73 million in appropriated funds.

We have left no fat, no cushion, no contingency funds and no potential for a year-end surplus in 1981. It is the tightest budget that I have encountered in over 20 years in city government and possibly the tightest in the City's history.

It should be noted that as we deliberated over this budget, our concerns were heightened by the knowledge that Congress has not yet re-enacted the Revenue Sharing Act. The City's annual share of \$11.6 million is included in this budget. I call upon all members of City Council to join with me in urging the Congress to act on this most important piece of legislation when it reconvenes after the election recess.

Despite all of the challenges and financial problems this administration has encountered over the past four years, I am impressed and encouraged by what has been accomplished.

We continue to provide city services at a high degree of efficiency. Our Renaissance II program is flourishing. And most important of all, we have a new attitude in this City. We are proud to be Pittsburghers again.

I was the eternal optimist the day I took office in 1977 and nothing that has occurred since then has dampened my enthusiasm. To the contrary my confidence has been buoyed and my determination strengthened by the support I have received from the people.

I am satisfied that this administration has given 100 percent effort in these eventful years and I pledge we will continue to do so in the years ahead.

I think it was the poet Walt Whitman who said, "A great City is that which has the greatest men and women."

By all accounts then Pittsburgh is a very great City indeed.

**DICK CALIGUIRI**  
Mayor

November 10, 1980

#### **The Chair:**

On behalf of City Council I would like to congratulate the Mayor, he has done the impossible, now we want one more favor from him, we want a Super Bowl, okay?

#### **PRESENTATIONS**

##### **Mr. Coyne presented**

No. 2019 Resolution providing for the issuance of a warrant in favor of the Mosites Construction Company in the amount of \$2,268.00, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Lincoln Avenue Bridge, and providing for the payment thereof, payable from PW 76-10, Department of Public Works, approved by Council Bill 607 of 1980.

Which was read and referred to the Committee on Finance.

##### **Mr. Flaherty presented**

No. 2020 Resolution providing for the issuance of a warrant to Dales Service in the amount of \$1,800.00, Westinghouse Electric in the amount of \$7,540.28 and General Electric in the amount of \$7,930.00 totalling in the aggregate \$17,720.28 in payment for emergency repairs and services furnished for the benefit of the City in connection with the HVAC systems at various locations and providing for the payment thereof, approved by Council Bill 1907 of 1980.

Also,

No. 2021 Resolution providing for the issuance of a warrant to Carnegie Library of Pittsburgh in the aggregate amount of \$5,916.38 for A/E and construction work furnished for the benefit of the City in connection with Rehabilitation to Improve Processing, Maintenance and Public Areas; chargeable to and payable from Capital Project LB 79-05 (4-25-10-1980-79), Department of Lands and Buildings, approved by Council Bill 3455 of 1979.

Also,

No. 2022 Resolution transferring \$50,000 from Rents, City Owned Property Trust Fund to Three Taxing Bodies, Special Trust Fund No. 2. Amount subject to reimbursement from H. West, Sales Account, Department of Lands and Buildings.

Also,

No. 2023 Resolution providing for a License to Duquesne Light Company for the installation of one (1) pole and (1) one anchor together with guy wires upon, over and across City property designated as Block and Lot 13-T6, fronting on Arlington Avenue, 16th Ward in connection with construction of Arlington Fire Station.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2024 Resolution repealing Resolution No. 867, approved 8/25/80, for the sale of lot on Lawn Street, 4th Ward, designated as Block 28-N, Lot 123, to Gerald L. and Marilyn Goldman, for the sum of \$350.00. Resolution is to repeal sale and return hand money to purchasers.

Also,

No. 2025 Resolution amending Resolution No. 1005, Item (D), approved 10/16/80, for the sale of land on Parkwood Road in the 16th Ward designated as Block 32-B, Lot 5 to Lemuel T. and Maureen F. Cross, for the sum of \$600.00. Amendment is to correct spelling of former owner's name.

Also,

No. 2026 Resolution amending Item (I) of Resolution No. 1005, approved 10/16/80, for the sale of lot in the 25th Ward on Jefferson Street designated as Block 23-E, Lot 142 to Matthew D. and Barbara Millender, for the sum of \$250.00. Amendment is to add name of former owner.

Also,

No. 2027 Resolution amending Item (A) of Resolution No. 1111, approved 10/28/80, for the sale of lot on Brereton Street designated as Block 25-P, Lot 85, to Mt. Horran Baptist Church, for the sum of \$350.00. Amendment is to correct Ward No. from 22 to Ward 2.

Also,

No. 2028 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Robinson presented

No. 2029 Resolution approving the

sale of Parcel 7A (Frankstown at N. Homewood Avenues) in the 13th Ward of the City of Pittsburgh by and between URA and KFC National Management Company for \$2.00 per square foot — Redevelopment Area No. 34.

Also,

No. 2030 Resolution authorizing the URA of Pittsburgh to acquire that property in the 7th Ward of the City of Pittsburgh owned by the School District of Pittsburgh and designated as Lot No. 3 in the Revised East End Middle School Plan of Subdivision. Recorded in Plan Book Volume 105, Pages 194-196, under the Residential Land Reserve Fund.

Also,

No. 2031 Communication from Paul C. Brophy, Director, Department of Housing, requesting permission to meet with HUD Officials concerning the City's Rehab Programs and with Partners for Livable Places Board of Directors, Washington, DC, November 11-13, 1980, at a cost not to exceed \$250.00, payable from Community Development Block Grant Trust Fund, HD 79-08, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2032 Resolution providing for the issuance of a warrant to Harriet M. Collins and Robert J. Collins, her husband, c/o Robert J. Liptitz, Esquire, 1503 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, PA 15219, in the amount of \$1,000.00 in full settlement of claim for personal injuries and providing for the payment thereof.

Also,

No. 2033 Resolution providing for an Agreement or Agreements with community based organizations and/or non-profit or-

ganizations to provide public service employment and public service employment and training for CETA-EOPP participants and providing for the payment of the costs thereof. Cost not to exceed \$700,000.00.

Also,

No. 2034 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Joan Sims, to attend Employability Development Plan Workshop, Camp Springs, Maryland, December 1-4, 1980 at a cost not to exceed \$400.00, payable from CETA Trust Fund.

Also,

No. 2035 Communication from John E. McGrady, City Controller, submitting performance audit of the Tax-Funded Personnel System.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2036 Report of the Committee on Finance for November 5, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1854

A Resolution entitled, "Resolution transferring the total sum of \$338,000.00 from Code Account 42-2, Contingent Fund, to the following accounts: Code Account No. 1443-4, Premium Pay, \$330,000.00; Code Account No. 1443-6, In-Grade Pay, \$8,000.00." (AS AMENDED IN COMMITTEE).

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1893

A Resolution entitled, "Resolution repealing Resolution No. 875, approved September 16, 1980, entitled, 'Amending Resolution No. 87, approved February 22, 1980, effective February 23, 1980, entitled, 'A Resolution providing for the issuance of a warrant in favor of Boquet Construction Company in the amount of Six Thousand One Hundred Twenty-Three (\$6,123.00) Dollars in payment for Extra Work furnished for the benefit of the City in connection with the Sidewalk Construction Various Locations and other work incidental thereto; and providing for the payment of costs thereof.'"

Which was read.

Also,

Bill No. 1911

A Resolution entitled, "Resolution authorizing issuance of a warrant in favor of Navarro Corporation in the amount of \$2,828.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.



Also,

Bill No. 1912

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Allison Park Landscape Contractors in the amount of \$1,300.00 in payment for work performed at Marmaduke Playground, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1913

A Resolution entitled, "Resolution transferring the amount of \$7,000.00 to Code Account 1857, Provision for Animals, from Code Account 1859, Equipment, all within the Zoological Park Commission."

Which was read.

Also,

Bill No. 1914

A Resolution entitled, "Resolution transfer-

ring the amount of \$5,000.00 to Code Account 1851-1, Premium Pay from Code Account 1859-1, Purchase of Animals, all within the Zoological Park Commission."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1918

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Transitional Services, Inc., located at 59 Penn Circle West, Pittsburgh, Pennsylvania, 15206, in the amount of One Thousand Five Hundred Thirty Six Dollars (\$1,536.00) in payment for services rendered from October 131, 1971 by said Agency in connection with a 'Transitional Services Project'."

Which was read.

Also,

Bill No. 1940

A Resolution entitled, "Resolution providing for the issuance of a \$876.84 warrant in

favor of William Eddings in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 1941

A Resolution entitled, "Resolution providing for the issuance of a \$2,780.00 warrant in favor of Frank A. Yund, Jr. and Lois L. Yund in full settlement of claim for property damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1942

A Resolution entitled, "Resolution providing for the issuance of a \$1,270.00 warrant in favor of Norman G. and Ada Eisengart, c/o Arnold D. Wilner, Esquire, in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 1943

A Resolution entitled, "Resolution providing for the issuance of a \$893.00 warrant in favor of Thomas Nill in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 1944

A Resolution entitled, "Resolution authorizing the Mayor to issue a warrant countersigned by the City Controller in favor of the U.S. Department of Labor in the amount

of \$36,920.28 to return funds carried over from a closed out federal grant."

Which was read.

The Chair:

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1946

A Resolution entitled, "Resolution providing for an Agreement or Agreements with American Civil Liberties Union, East Allegheny Community Council, Community Human Services Corporation, Pittsburgh Regional Library Center and Vintage, Inc., for the implementation of its Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 1947

A Resolution entitled, "Resolution amending a portion of Resolution No. 1001 approved November 5, 1979, entitled, 'Amending a portion of Resolution No. 825 approved September 17, 1979 entitled, 'Providing for an Agreement or Agreements with Abraxas

Foundation, Brashear Association, Educational Programs-Diocesan School Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof, and repealing Resolution No. 961, approved September 22, 1980 entitled, 'Amending a portion of Resolution No. 825 approved September 20, 1979, entitled, 'Providing for an Agreement or Agreements with Abraxas Foundation, Brashear Association, Educational Programs-Diocesan School Board of Pittsburgh, Elder-ado, Inc., Hill District Development Corporation, University of Pittsburgh Auto Racing Team, Pittsburgh Ballet Theatre, Pittsburgh OIC, Pittsburgh Planned Parenthood, Pittsburgh School District, Point Park College, Three Rivers Youth, Inc., for the implementation of the Comprehensive Employment and Training Act Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 1995

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$280,500.00 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from August 25, 1980 through October 5, 1980."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2037 Report of the Committee on Public Works for November 5, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1837

A Resolution entitled, "Resolution providing for the issuance of a permit to Edwin T. Barrett to grade, pave and maintain an unimproved portion of Newry Street from California Avenue to the dead-end, in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1838

A Resolution entitled, "Resolution providing for a contract or contracts for repairs to the Meadow Street Bridge, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1895

A Resolution entitled, "Resolution granting unto the National Valve & Manufacturing Co., 158 49th Street, Pittsburgh, Pennsylvania 15201, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense, a concrete drive on a portion of the street in Spring Way, in the Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1896

A Resolution entitled, "Resolution granting unto Allegheny County Steam Heating Company, 435 Sixth Street, Pittsburgh, Pennsylvania 15219, its successors and assigns, the privilege and license to construct, maintain and use at its cost and expense, a 12" gas line with locked shut-off valve, protected by (4) 6" concrete filled steel posts on a portion of the sidewalk area of Etna Street in the Second Ward of the City of Pittsburgh."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1897

A Resolution entitled, "Resolution granting unto Bell Telephone Company, 201 Stanwix Street, Pittsburgh, Pennsylvania 15219, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense a Bell Telephone Utility Cabinet behind the sidewalk portion of the various agreed upon locations in the City of Pittsburgh."

Which was read.

Mr. Coyne:

Mr. President, I move to recommit Bill No. 1897.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

Bill No. 1898

A Resolution entitled, "Resolution accepting the dedication of Old Oak Court as shown and dedicated on the High Oak Court Plan of Lots in the Twentieth Ward of the City of Pittsburgh by Eugene and Mary Louise Romali for public highway purposes, opening and naming same, fixing the width and position of the roadway and sidewalks, establishing the grade and accepting the grading, paving, curbing and sewerage thereof."

Which was read.

Also,

Bill No. 1899

A Resolution entitled, "Resolution amending the Title and Section 1 of Resolution No.

940 approved September 19, 1980, effective September 26, 1980, entitled, 'Authorizing the Director of the Department of Public Works to issue a permit to South Side Hospital to grade and fill the unimproved portion of Edwards Way from 21st Street to 22nd Street at the vacated portion of Edwards Way in the 16th Ward of the City of Pittsburgh.'

Also,

Bill No. 1955

A Resolution entitled, "Resolution amending Resolution No. 641, approved August 9, 1976, effective August 18, 1976, entitled, 'Providing for a Contract or Contracts for street improvements on Fifth Avenue from Bouquet Street to Bellefield Avenue (PW 76-14), providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, by amending the title and increasing the funding sources by Three Hundred Thousand Dollars (\$300,000.00)."

Which was read.

Also,

Bill No. 1956

A Resolution entitled, "Resolution amending Resolution No. 576, approved July 27, 1976, effective July 28, 1976, entitled, 'Providing for a Contract or Contracts for the construction of Fifth Avenue from Craft Avenue to Bouquet Street (PW 76-8) providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by amending the title and increasing the funding sources by Three Hundred Thousand (\$300,000.00) Dollars."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2038 Report of the Committee on Planning, Housing and Development for November 5, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1661

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from 'C3' Commercial District to 'R2' Two-Family Residence District, 'R3' Multiple-Family Residence District and 'C1' Neighborhood Retail District certain properties having frontage on Perrysville Avenue between Kenwood Avenue and Ellzey Street, 26th Ward."

Which was read.

Also,

Bill No. 1920

A Resolution entitled, "Resolution amending Resolution No. 700, effective August 9,

1977, entitled, 'Providing for an Agreement or Agreements with the North Side Civic Development Council, Inc.' for administrative and design services in connection with the Great House Sale in the Central North Side, so as to decrease the amount provided from an amount not to exceed \$40,500.00 to an amount not to exceed \$26,637.81."

Which was read.

Also,

Bill No. 1921

A Resolution entitled, "Resolution amending Section 11 of Resolution Nos. 1267 of 1977, previously amended by Resolutions Nos. 483, 829, 999 and 1563 of 1978, Resolution Nos. 252, 308, 509 and 706 of 1979 and by Resolution Nos. 351 and 448 of 1980, entitled, "Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program," so as to decrease line item PW-78-23 'Stafford Storm Sewer' (Project No. 4-01-25-0748-78103-78-01) from \$160,000.00 to \$0; and further to increase line item HD-78-04 'Landlord Repair Loans' (Project No. 4-15-03-0001-78-3-78-15) from \$595,000.00 to \$755,000.00."

Which was read.

Also,

Bill No. 1922

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1220-22 Buena Vista Street, Block and Lots 23-J-310 and 311, in the Mexican War Streets Historic District in the 22nd Ward.

Which was read.

Also,

Bill No. 1923

A Resolution entitled, "Resolution providing

for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1303 Sherman Avenue, Block and Lot 23-K-179, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 1924

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 618 and 620 N. Taylor Avenue and 1302, 1304 and 1306 Buena Vista Street, Block and Lots 23-J-194, 195, 196 and 197 in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 1925

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 506 N. Taylor Avenue, Block and Lot 23-J-218, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 1926

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 605 N. Taylor Avenue, Block and Lot 23-J-205, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 1927

A Resolution entitled, "Resolution amending

Resolution No. 44 of 1976, as previously amended by Resolution Nos. 290, 446, 820 of 1976; and by Resolution Nos. 319, 461 of 1977; and by Resolution No. 241 of 1978, so as to decrease the amount authorized to the Department of Public Works from \$2,377,106.35 and further to increase the amount authorized to the Urban Redevelopment Authority from \$8,072,334.00 to \$8,172,334.00; to allow said department to increase Capital Budget Project 'Small Landlord Repair Loan Program' from \$660,000.00 to \$760,000.00, Project No. 4-45-01-1780-76-3-76-45."

Which was read.

Also,

Bill No. 1928

A Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 517 and 649 of 1979; and by Resolution No. 286 of 1980 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program', so as to decrease line item HD-79-18 'Great House Sale' (Project No. 4-15-02-0004-79-18-15) from \$100,000.00 to \$25,000.00; and further to increase line item HD-79-10 'Energy Conservation and Insulation Program' (Project No. 4-15-03-0002-79-10-79-15) from \$400,000.00 to \$475,000.00."

Which was read.

Also,

Bill No. 1929

A Resolution entitled, "Resolution authorizing the Mayor to execute an agreement with the Urban Redevelopment Authority of Pittsburgh providing for financial settlement of a portion of the Reedsdale-Ridge Project, completion of all project activities, maintenance and sale by Urban of remaining property in said project and for payment to the

Industrial and Residential Land Reserve Funds of Project Funds in excess of obligations."

Which was read.

Also,

Bill No. 1930

A Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and James R. Herring, Jr. and Constance Herring in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance for the construction of a house in the Twenty-First Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 1931

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Andrew J. Brown for the sale of Parcels 244D and 244E in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 1934

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joseph H. Mixon, Jr. and Emma Mixon for the sale of Parcel 45 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 1935

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Silas Jackson, Jr. and Earline Tibbs Jackson for the sale of Parcel 21C in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 1990

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Planning to enter into an Agreements/s with Third East Hills Park Inc., for the purpose of correcting a soil erosion condition existing on or under properties under the control or jurisdiction of Third East Hills Park, Inc., and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 2039 Report of the Committee on Supplies for November 5, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1971

A Resolution entitled, "Resolution repealing Resolution No. 1063, approved October 23, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of Automotive Equipment for the Department of Supplies and the payment thereof.'"

Which was read.

Also,

Bill No. 1973

A Resolution entitled, "Resolution providing for a Contract or Existing Contracts for 'Street Lighting', SD-80-03, (4-30-05-0001-80) Miscellaneous Streets throughout the City and other work incidental thereto; and providing for payment thereof."

Which was read.

Also,

Bill No. 1974

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of Traffic Signal Equipment for the Department of Public Works, and for the payment thereof."

Which was read.

Also,

Bill No. 1975

A Resolution entitled, "Resolution providing



for the letting of a contract or contracts for the furnishing and delivery of office equipment and furniture for the Department of Housing, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes.

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff presented

No. 2040 Report of the Committee on Water for November 5, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1908

A Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Water, on behalf of the City of Pittsburgh, to enter into an Agreement with the Commonwealth of Pennsylvania providing for the reconstruction of certain water facilities in connection with the improvement and construction of Legislative Route 246, Section 50M and providing for the payment thereof."

Which was read.

Also,

Bill No. 1909

A Resolution entitled, "Resolution amending Resolution No. 736 of 1980, approved July 28, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of iron plates for the Department of Water, and for the payment thereof,' by increasing the amount from \$13,180.00 to \$16,481.70."

Which was read.

Also,

Bill No. 1910

A Resolution entitled, "Resolution providing for a contract or contracts for the Installation of a cover on the McNaugher Reservoir; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2041 Report of the Committee on

Parks and Recreation for November 5, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1915.

A Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the lighting design and installation of existing portable fixtures for the 1980 Fall Flower Show at Phipps Conservatory and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1916

A Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the lighting of various parks, tennis courts, and recreation facilities, and for security lighting; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

No. 2042 Report of the Committee on Lands and Buildings for November 5, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1904

Resolution amending Item (J) of Resolution No. 879, approved 10/2/79, authorizing the sale of vacant land on Hunt Street, 20th Ward, designated as Block 21-P, Lots 209, 210, 211, to Carl F. Wiedenhofer, for the sum of \$600.00. Amendment is to delete Lot 21-P-210 and reduce sale price to \$400.00.

Which was read.

Also,

Bill No. 1905

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act P.L. 787 of 1937 as amended by Act No. 250, approved July 29, 1941."

Which was read.

Also,

Bill No. 1906

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Givens:**

Mr. President, I think Michelle is going to cover an article —

**Michelle Madoff:**

How do you know what I'm going to cover?

**Mr. Givens:**

Well, you gave me privileged information by showing me your paper.

**Michelle Madoff:**

How do you know that is what I am going to cover?

**Mr. Givens:**

Well, at any rate, there is a post agenda item this coming Wednesday, I have already given it to Mike Perry, on the City garage, reference, the fuel truck and what happened over this last weekend. I've been informed, in fact as soon as I found out about it I discussed it with Director Yatch and I also conferred with the Mayor this morning on it, so I am satisfied, I am not happy with

what happened, but the fact that we only had one truck and there was another one on order that they never received, and the fact that they are now renting a vehicle for this purpose and when we get the new one they should have some accommodations and I told this to Director Yatch, that in case our one vehicle goes down that we should have some type of contractual agreement that we can go out and pick up, by rental purposes, a second vehicle if need be.

**Michelle Madoff:**

Mr. DePasquale, I still would like the privilege of addressing the issue. I am glad that Mr. Givens has scheduled a post agenda, I don't know what is going to happen, we have so many items on the post agenda and I think that should be a priority one, it should be moved up and I would agree with that, but I think the information that I received, I spent about four hours over this weekend and a number of hours on Friday talking to the people and I think some of the information that is in this little summary that I have handed out, I am not going to read the whole thing, but essentially, when you are talking about 800 gallons of gasoline and 400 gallons of diesel fuel and the bar that connects the towing truck to the tanker that can break and when the Fire Chief says it is unsafe and when the fire trucks have to move over to load from the tanker as opposed to the tanker coming to the fire trucks and when the men still feel it is unsafe, I don't think just having a post agenda hearing is really adequate enough because we are going to be snowed, this is an article of equipment that should certainly fall into the Wallace Act, the money was available at the end of the '79 Budget, with 43 people present from the garage, mechanics, they were told it was already ordered, they tried to shift the blame to this Council which is absurd, had anyone come to this Council and said, "Hey, we have a vital piece of equipment we have to have it", we would have found the money if we had to take it from another department, we have done that many times. I think the emotional trauma to the men who told me they still will not drive the

equipment is important, I have asked that the equipment be checked by an outside, independent mechanic and I have made some calls to the State Office on Washington Boulevard.

However, I think something else that has come out of this which is probably more important than even our fire truck. If you go down to paragraph five: "State law does not mandate that any vehicle over 17,000 pounds have an odometer or a speedometer that is working at the time of inspection", and he gives me the point of reference and I've got the name of Corporal Morgan down at the barracks. That is probably why we are having so many accidents with some of our big tanker trucks. If they weigh over 17,000 pounds they are not required to have an odometer that reads properly or a speedometer that is working.

**Mr. Stone:**

I don't think the problem has been speed.

**Michelle Madoff:**

I agree with you but I am just saying that that certainly is a factor. Did you know that you didn't have to have one over 17,000 pounds? I didn't know that until today.

**Mr. O'Malley:**

Everybody knows that.

**Mr. Stone:**

I don't know that that is the issue today.

**Michelle Madoff:**

And I think that the fact that the odometer isn't working and it is recording 129,000 miles when in reality it is something like 200,000 miles on the towing vehicle that towed the tanker which was the, I forget what you call those things, those towing things, that was an obsolete item that had 100,000 miles on it, this is an

absurdity and now we are going to lease — and do you know the understanding Mr. Givens, they are going to use it when they determine it is safe. What do you do if you say, "Well its safe, its only got 200,000 miles" and something happens, say, "I'm sorry"?

**Mr. Givens:**

As long as that vehicle passes state inspection Mr. President, it is considered in the eyes of the State of Pennsylvania to be a safe vehicle and I hope — and from what I can gather the vehicle had some 150,000 miles on a seven year old vehicle —

**Michelle Madoff:**

200,000.

**Mr. Givens:**

And it has been maintained, that is the first time to my knowledge that this particular vehicle — and with the only vehicle, the only criticism I might have is that they didn't have a contingency plan to go out to some contractor who might have had a vehicle similar in size and design to to repeal any vehicles on sight.

For your information, being the Chairman of Public Safety some years ago, I checked into this particular fuel vehicle, generally, in most alarms, the fire truck is capable of sustaining itself without being re-fueled, it is only when you have multiple alarms as this fire truck responded to the alarm itself and in many cases it is never used, it is a safety back-up, it is mainly to go out and refuel our fire trucks after they come back from a particular fire. I don't like the idea of towing a particular vehicle to the scene, that was definately an emergency, it was a one time situation and I hope it never happens again, I think the Administration has taken corrective action. I might suggest also, that about this time last year, maybe another month into it, in the month of December, when Director Yatch had brought certain legislation before this Council, this Council did turn it down

in that piece of legislation, this gasoline truck and if you can recall Mr. President, I, because of safety reasons, urged this Council to pass that legislation, it was not passed at that time, it was held over for another year. That vehicle was on order this particular year, a special piece of equipment, it is one that you normally just don't pick up at the store front.

**The Chair:**

We didn't approve the funding, is that what you are saying?

**Mr. Givens:**

No we didn't, that was one that was held until the year ended out.

**Michelle Madoff:**

It was in a lump.

**The Chair:**

Then we got egg on our face.

**Mr. Stone:**

Mr. President, if I may, you know you can go around and put a lot of blame on a lot of people. This Council has appropriated all the money this City ever needs to operate and as far as this particular item for us to sit here and say, "Well, this doesn't please me", I think it ought to appall us all. This is not the first time we have had trouble with the tankers, we sent one out on the road that didn't even have a foot brake on the thing. You know, right now there is no longer any immunity for the City of Pittsburgh and I think it ought to be understood that these particular directors stand some liability as well, they can't hide behind the City when they send out equipment that is not up to standards. We indicated a long time ago that no vehicle, whether it be a City vehicle or not, has a right to be on the highways of the City of Pittsburgh unless it is fully inspected. That is obviously a negligent, per se matter and this City is no longer immune from liability. For that little

bit of extra that is necessary at times it is ridiculous. We put 22 new jobs into that particular department last year to get some of its problems straightened out and to try to look for blame anywhere is wrong, it boils down to one thing, that vehicle never should have been on the road in the first place as the vehicle a year or two ago that didn't have a foot brake should have never been on the road again, and as well, some of the other ones where the door flew off and hit somebody at the tunnels. It is ridiculous to send those kind of vehicles out and we should not be displeased but we should be appalled by it, let's have a post agenda item on this thing and find out why it was sent out in the first place. You've got that much gas and you are pushing that thing around, that is ridiculous.

**Michelle Madoff:**

Mr. Stone, I applaud what you have said and I would like to ask Mr. Givens a question, since the men called me at home and told me that they still feel the vehicle is unsafe, Mr. Givens would you like to take that vehicle out to the next fire, if we have one, a five alarm this weekend, will you be happy to drive the tanker?

**Mr. Givens:**

Well, Michelle, you know, four and a half years —

**Michelle Madoff:**

Just answer the question, will you drive it or not?

**Mr. Givens:**

No, no, no, our and a half years ago, I predicted all this problem was going to happen, so what the hell, I was shot down then, until about a year ago.

**Michelle Madoff:**

Well don't sit there and say you're not upset, that they really are going to lease one and the Mayor is addressing, and you already looked at, we're getting at the facts.

**The Chair:**

Alright, we'll take it up at the post agenda.

**Mr. Stone:**

Another matter Mr. President, out of this recent fire we had this weekend, one of our firefighters, as I understand, went in the building, brought somebody out, went back up the second time and then fell three stories, Mr. Joe Wickes, and I think that from this Council, ought to first of all go a congratulatory message at this point and our best wishes for a speedy recovery from that hospital. At the proper time I think we might see fit to honor him properly but I think he needs first, our good wishes at this particular point and a speedy recovery.

**The Chair:**

Yes, I just wanted to add that Mr. Burns said that he is now in satisfactory condition, so apparently it wasn't very serious, fortunately, I mean he fell three stories onto concrete, how he didn't get killed is beyond me.

**Mr. Stone:**

Yes, but it was not the first time he was in that building, it is even more important to know that.

**Michelle Madoff:**

He is really a hero.

**The Chair:**

Do you want to put that in the form of a resolution Bob?

**Mr. Stone:**

Yes, that is my motion.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. DePasquale, one last item, I didn't finish a couple of items — I got a call on Friday afternoon from a reporter who asked me if I had seen the Friday Press, well it was noontime and I had not, I get my paper at 6:00 although I didn't get my Press this weekend Mr. Nillson, my Sunday paper. I was interested in a story on the front page that caught my eye on the Allegheny Steam Heat which disturbed me because I had been doing most of the work and someone else was getting the credit, but I didn't get to read the first part of the second page and the last two paragraphs where the Mayor is quoted in Los Angeles as making statements that are absolutely unbelievable about our poor and not caring about them.

**The Chair:**

Michelle don't you think that is more or less a personal thing?

**Michelle Madoff:**

Just one moment I want to finish my statement.

**The Chair:**

You showed me the article and I mean —

**Michelle Madoff:**

All I know is that when I left the Press at 7:00 on Saturday, the reporter —

**The Chair:**

Well how do you consider that a motion or a resolution?

**Michelle Madoff:**

I want to alert Council to this and I think we could take a resolution on it, certainly. The reporter at the Press was calling the reporter in Los Angeles to double check the story. As I read today's paper and I don't believe everything I read, but

according to what appears here, "the quote is there", Lawrence said over the phone, "referring to the last paragraph to which Caliguiri objected", they went and got the notes and it is a direct quote from the reporter's notes and I think this Council ought to state that we certainly don't have the same view, if indeed, and I don't see how the Mayor could say he didn't say it when they have a copy of his quote, that we don't feel that way in this Council and that is my resolution. Or do we feel that way, do we agree with the Mayor that we should get rid of our poor and move them out?

**The Chair:**

It wouldn't be the first time somebody was misquoted.

**Michelle Madoff:**

I don't think he was misquoted Mr. DePasquale, they went and got his notes and it is a verbatim quote.

**The Chair:**

Verbatim quote? That is why Mike Moyle quoted me here as saying divert the traffic from Beechwood Boulevard to Second Avenue and Carson Street, my grandchildren's eyes could drop out if I ever made the statement, they would never correct it in the papers. You know you can say somebody said something and they didn't say it and nobody retracts it, where are you at? I don't know if Caliguiri said it or not and I don't even think it is pertinent to what is going on here in Council.

**Michelle Madoff:**

I think it is very pertinent.

**Mr. Stone:**

I think there is a precedent here, trying to hold somebody to a newspaper article, I agree with the President, you know if it is

here in Council that is a different thing, but I think what you read in the paper — you know — I'm not going to touch that.

**Michelle Madoff:**

All the nice things they say aren't true?

**The Chair:**

After the Republicans got the election the other day maybe we should go with the money people.

**Mr. Flaherty:**

In defense, I just want to comment on what Michelle is doing, she is trying to accuse the Mayor of saying something, he said that he said it out of —

**Mr. Stone:**

She is not trying, she is coming right out with it.

**Mr. Flaherty:**

Okay, and she said that, no, he said that he took it out of context — I tend to believe that this is a misquote because I can't believe that the Mayor of this City would say that our population was 700,000 just ten years ago, I think the vast majority of the people in this City knows our population was not ever 700,00 in this City, so I think that is proof that perhaps the quote is out of focus a little.

**Mr. Stone:**

I agree with you.

**Michelle Madoff:**

Well, I was at a meeting for the kickoff for the Prudential Building and they asked what the occupancy rate was in this City and the Mayor didn't know, he had to turn to his staff and I don't think he ever expected this to be reprinted.

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**Mr. Stone** moved to approve the minutes of Monday, October 27, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.  
And on motion of **Mr. Stone**  
Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, November 17, 1980

No. 44

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE ..... Ass't City Clerk

Pittsburgh, Pa.

Monday, November 17, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 2043 Resolution further amending Resolution 473, approved 6/3/77 effective 6/8/77, as amended entitled: "Providing for

the letting of contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof" by reducing the allocation by \$2,892.90.

Also,

No. 2044 Resolution providing for a contract or contracts or the use of existing contracts for concrete repairs to City steps, various locations and providing for the payment of the cost thereof. Cost not to exceed \$35,000.00, payable from PW 80-32, Department of Public Works.

Which were read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Also,

No. 2045 Resolution authorizing the issuance of a warrant in favor of M. DePasquale, Inc. in the amount of \$71,744.79 in payment for "Extra and Additional Work" in connection with the Gallupe Drive Sewer Reconstruction Project, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2046 Resolution providing for a contract or contracts for the construction and reconstruction of storm and sanitary sewers on Thompson Run (Cooley Way) Phase II from Mohrbach St., to 200 ± W. of Margaret St. including work on private property and other work incidental thereto, cost not to exceed \$400,000.00, payable from PW 80-24, Department of Public Works.

Also,

No. 2047 Resolution further amending Resolution 1155, effective 12/2/77 as amended by Resolution 99 effective 2/28/80, entitled, "Providing for a contract or contracts for Professional Services in connection with the design for replacement of the Pennsylvania Avenue Bridge and approaches and providing for the payment of costs thereof" by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost to \$156,200.00 from \$140,167.00.

Also,

No. 2048 Resolution granting unto 606 Liberty Building (Meyer Jonasson Building) the privilege and license to construct, maintain and use, at its own cost and expense a marquee to be erected over the entrance to its building.

Also,

No. 2049 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for John Weres, Andrea Goldberg and Don Killmeyer to attend Fatigue and Fracture Resistance Course for Bridge Engineers, Harrisburg, PA., December 9-11, 1980, at a cost not to exceed \$1,053.00, payable from Code Account No. 1530, Miscellaneous Services, Department of Public Works.

Also,

No. 2050 Communication from Louis

R. Gaetano, Director of Public Works, transmitting Trial Traffic Regulations on Shingiss Street beginning November 17, 1980.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 2051 Resolution providing for the issuance of a warrant in favor of Celli-Flynn & Assoc. in the amount of \$3,992.15 for extra services performed in connection with the design and reconstruction of Sheraden Library and Community Building; chargeable to and payable from Capital Project CDLB 80-05, Sheraden Library/Community Building, Department of Lands and Buildings.

Also,

No. 2052 Resolution providing for the issuance of a warrant to General Elevator in the amount of \$1,544.00 for extra work performed in connection with the Modernization of Elevator "H"; chargeable to and payable from Capital Project CDLB 78-10, Public Buildings Access by Handicapped, Department of Lands and Buildings.

Also,

No. 2053 Resolution providing for the issuance of a warrant in favor of All-State Industries for extra work performed in connection with rehabilitation of Nos. 16 and 20 Fire Stations; chargeable to and payable from Capital Project CDLB 77-01, Ten Fire Stations Rehabilitation, Department of Lands and Buildings.

Also,

No. 2054 Resolution amending Resolution 1108, approved December 10, 1979, effective December 14, 1980, by reducing percentage of retainage from five percent (5%) to one percent (1%) of payments to contractors in connection with Carnegie Library of Pittsburgh, Wylie Avenue (Hill Branch) Project.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens presented**

No. 2055 Resolution amending Resolution No. 472, of 1980 approved May 19, 1980, entitled: "Providing for the letting of a contract or contracts for the furnishing and delivery of various tools (wrenches, screwdrivers, etc.) for the Department of Water and for the payment thereof," by increasing the amount from \$10,213.76 to \$10,505.20.

Also,

No. 2056 Resolution amending Resolution No. 988 of 1980, approved September 29, 1980, entitled: "Providing for the letting of a contract or contracts for the furnishing and delivery of an abraser machine for the Bureau of Tests, Department of Supplies and for the payment thereof," by decreasing the amount from \$2,500.00 to \$2,400.00.

Which were read and referred to the Committee on Supplies.

**Mr. Givens moved to suspend Rule 8** by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff seconded the motion.**

Which motion prevailed.

**Michelle Madoff presented**

No. 2057 Resolution transferring \$6,000.00 from Code Account No. 1703, Utilities to Code Account No. 1701, Miscellaneous Services and Code Account No. 1704, Supplies.

Which was read and referred to the Committee on Finance.

Also,

No. 2058 Resolution providing for a

contract or contracts for water line work in conjunction with the Department of Public Works at a cost not to exceed \$20,000.00, chargeable to and payable from the 1978 Capital Budget WD-78-3, Department of Water.

Also,

No. 2059 Resolution providing for a contract or contracts for Cover Protection of the 30" and 36" Water Lines in Josephine Street, at a cost not to exceed \$125,000.00, chargeable to and payable from the 1980 Capital Budget Account WD-80-01, 30" and 36" Josephine Street, Replace Cover.

Also,

No. 2060 Resolution amending Resolution No. 1229, approved December 29, 1979, as amended by Resolution No. 694, approved July 7, 1980, as amended by Resolution No. 990 transferring funds within the Capital Budget, Department of Water, as per exhibits #1 and #2.

Also,

No. 2061 Communication from Richard M. Cosentino, Director of Water, requesting interim approval of payment of \$8,200.00, for repair of cranes to be payable from Code Account 1705, Repairs, Department of Water.

Which were severally read and referred to the Committee on Water.

**Mr. O'Malley presented**

No. 2062 Resolution transferring the sum of \$41,000.00 from various code accounts (as listed) to various code accounts (as listed) all within the Department of Emergency Medical Services.

Which was read and referred to the Committee on Finance.

**Michelle Madoff moved to suspend Rule 8** by providing for consideration of the bill

only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 2063 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg, and Hodge, in the amount of \$651.30, in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 2064 Resolution providing for an Agreement(s) with the Hunger Action Coalition, Inc. for services in connection with the 1980 City-wide food drive, at a cost not to exceed \$1,000.00, and transferred \$1,000.00 from Code Account No. 42, Council's Contingent Fund, to Code Account No. 1103, Miscellaneous Services, Department of City Planning.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 2065 Resolution authorizing the

transfer of \$308,064.00 from the 1980 Community Development Block Grant Program Trust Fund, Unspecified Local Option, (CC-80-01), #4-40-05-000-80-900-80-40, to the 1981 General Fund of the City of Pittsburgh, for Reimbursement of Indirect Costs, Community Development.

Which was read and referred to the Committee on Finance.

Also,

No. 2066 Resolution authorizing the URA of Pittsburgh to acquire that property in the 19th Ward of the City of Pittsburgh owned by Walter and Evelyn Coury and Tonino and Victoria Primiero and designated as Block 96-B, Lot 262 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund.

Also,

No. 2067 Resolution approving the sale of Block 96-B, Lot 262 in the 19th Ward of the City of Pittsburgh by and between the URA and National Church Residences of Brookline, Pennsylvania for \$215,000 plus expenses, Residential Land Reserve Fund.

Also,

No. 2068 Resolution approving the sale of Parcel 48 (541 Francis Street) in the 5th Ward of the City of Pittsburgh by and between URA and Gilda Lee for \$800.00, Redevelopment Area No. 32.

Also,

No. 2069 Resolution approving the sale of Parcel 47 (2608 Wylie Ave.) in the 5th Ward of the City of Pittsburgh by and between URA and Dorcas Turner for \$800.00, Redevelopment Area No. 32.

Also,

No. 2070 Resolution approving the sale of Parcels 19 and 20 (1907 Fulton and 1300 Adams) in the 21st Ward of the City

of Pittsburgh by and between URA and Paul E. Layer for \$850.00, Redevelopment Area No. 27.

Also,

No. 2071 Resolution approving the sale of Parcel 171 (1437 Pennsylvania) in the 21st Ward of the City of Pittsburgh by and between UR and James J. Robinson, Jr. and Deborah E. Robinson for \$3,000.00, Redevelopment Area No. 27.

Also,

No. 2072 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend Pennsylvania Council for Urban Economic Development Meeting, Harrisburg, Pa., November 25, 1980, at cost not to exceed \$175.00, payable from Code Account 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 2073 Communication from Robert Lurcott, Director of City Planning, requesting permission for Messrs. Smith and Sproul, to attend Labor Compliance Seminar, Monroeville, Pa., November 12, 1980, at cost not to exceed \$30.00, payable from 1980 Community Development Block Grant Program, Department of City Planning, Administration, CDPA.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2074 Resolution providing for the issuance of warrants to Kalotina Kourkoutis, Administratrix of the estate of Kostas Kourkoutis, deceased, in the amount of \$2,500.00 in full settlement of claim for wrongful death, and providing for the payment thereof.

Also,

No. 2075 Resolution providing for the

issuance of a warrant in favor of Bankers Lithographing Co. in the amount of \$300.00 for the emergency printing of warrants without previous authority of law.

Also,

No. 2076 Resolution providing for the issuance of a \$12,077.22 warrant in favor of Patricia Weber for property damage due to a water main break at Peralta and Vinial Sts., charging same to Code Account No. 46, Judgments.

Also,

No. 2077 Resolution transferring \$4,500.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 1060, Salaries, Regular Employees, Department of City Treasurer.

Also,

No. 2078 Resolution providing for an Agreement or Agreements with Gates, McDonald and Company for professional services in connection with the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law.

Also,

No. 2079 An Ordinance supplementing and amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 1, Levy and Rate on Lands and Buildings, and Section 2(c), Penalties For Late Payment, by imposing the Real Property Tax for 1981 and by changing the rate of penalty and interest.

Also,

No. 2080 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal Article I, Administration, Article VII, Business Related Taxes, and Article IX, Property Taxes, and Title Three, Water, Article VII, Assessment, Billing and Exonerations, by changing

the rates of penalty and interest on unpaid taxes and water charges for 1981.

Also,

No. 2081 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission requesting permission for Regina Hanna to attend Mini-EOPP Program Meeting with Department of Labor, Washington, D.C., November 17-18, 1980, at a cost not to exceed \$350.00, payable from CETA Trust Fund, Federal Funds.

Also,

No. 2082 Communication from John B. McGrady, City Controller, submitting an estimate of the probable Revenues for the General Fund and the Water Fund for the year 1981 and the Estimated Revenues and Revenues Received for the year 1980.

Which were severally read and referred to the Committee on Finance.

**Mr. DePasquale presented**

No. 2083 Communication from Michael Perry, City Clerk, submitting a petition from residents of the 23rd Community Advisory Board District, a petition requesting establishment of a Community Advisory Board in their district, and ruling in favor on the validity of the petition.

Which was read and referred to the Committee on Planning, Housing and Development.

## **REPORTS OF COMMITTEES**

**Mr. Stone presented**

No. 2084 Report of the Committee on Finance for November 12, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1894**

A Resolution entitled, "Resolution transferring the sum of (\$360,000.00) Three Hundred and Sixty Thousand Dollars from Contingent Fund No. 42-2 to Code Account No. 1167, Wages, Regular Employees, Department of Environmental Services."

Which was read.

**Mr. Stone:**

Mr. President if I may, relative to Bill 1894, all of you should have on your desk, stationery from James Walker and I would like to make the amendment to include it as is written there, in short, we are transferring \$360,000 from Code Account 1461, Salaries and Wages, Regular and Temporary Employees, to Code Account 42-2, and then from 42-2 to the intended Account 1167 and I would so move for that.

Mr. Robinson seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Why are you re-routing that instead of directing?

**Mr. Stone:**

Because I want that account, 42-2 to reflect all the unexpended salary accounts. What that is anticipating, if you do it that way it doesn't give you a true account because it is taking wages before you get to them. Since it is available we are going to take it now.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Stone:

Mr. President, in accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 1894 shall be the date of which it is signed by the Mayor.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 1945

A Resolution entitled, "Resolution transferring \$200,000.00 to Code Account 58, Municipal Pension Fund, Old, from Code Account 55, Policemen's Relief and Pension Fund."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1968

A Resolution entitled, "Resolution transferring the sum of \$75,000.00 from Code Account 1154, Motorized Equipment, \$30,000.00 from Code Account 1154-1, Rental of Motorized Equipment, \$130,000.00 from Code Account 1099-2, Over Authorized Salaries and Wages, and \$33,900.00 from Code Account 53, Reserve Fund, Debt Service Auditorium Authority to various accounts within the Department of Supplies."

Which was read.

Mr. Stone:

Relative to Bill No. 1968, the reason this is being given to you this way is we are trying to get an immediate approval on it and save the effort of going back with all the legislation, but if you just follow that account as it is, the only thing we have done here is changed it to the effect that \$285,800 from those various accounts is going from those salary accounts into 42-2 and then coming from 42-2 to the desired accounts as listed here on the right. On those other accounts which are not salary, they would be the same, but it is as the letter indicates. In short, where you start seeing amount and from and to, that is accurate as printed. Do I make myself clear, is anyone confused? The letter should be in your packet. I make that amendment.

**Mr. Given:**

That's called putting it through the wringer.

**Mr. Stone:**

Well, I'm giving you the opportunity to ask questions if you are confused.

**Mr. Robinson** seconded the motion

Which motion prevailed.

**Michelle Madoff:**

Mr. Stone, question — are we learning something from this, that perhaps departments should not be line itemed, that departments should be given money to operate and that really we are just playing games, we are borrowing from Paul to pay Peter, you say you need it for salaries but you really need it for something else, you need it for utilities and all we are doing is taking out of one pocket and putting it in another. Obviously you are okaying the expenditure of dollars, you are saying yes it is okay to use these dollars but you are also saying they overbudgeted in areas they shouldn't have over budgeted, but when you take the department in total you are saying yes they need the money because you are agreeing to let them use that money.

**Mr. Stone:**

No, not really, already we have gotten the result of it, this account will be over \$5 Million and in 1981, the Mayor has made an adjustment for that \$5 Million already. Relative to these budget accounts, there has been, as we have indicated already and I hope no one differs on that because the Treasurer indicated that our so-called budget man for the Mayor, Fiscal Officer, underestimated \$1.2 Million, that is something for the Mayor to look into, whether or not that kind of individual should be around, but aside from that —

**Michelle Madoff:**

He is obviously here because he didn't overestimate, he was told to do it.

**Mr. Stone:**

What's that?

**Michelle Madoff:**

I don't believe he did it on his own, I think he is told what to do.

**Mr. Stone:**

I'm talking about the funding, the insurance. There was no excuse for that one, that was a gross error and it came back to haunt him. There is \$1.2 Million there, as far as the salary accounts, I don't know that he is told to do that. There are a lot of Directors who would like those jobs filled and they haven't been filled and that is another matter, but —

**Michelle Madoff:**

Mr. Stone, you have had dealings yourself as I have and all members of Council with department heads when you say, "Why don't you get engineers, why don't you do this, why don't you fill jobs?" They say, "I have to get it cleared with the guru, I've got to get it cleared with Ben Hayllar", guru two and they just can't get the okay.

**Mr. Stone:**

Ben Hayllar is not the man.

**Michelle Madoff:**

Well, (David) Matter is.

**Mr. Stone:**

It's not him either.

**Michelle Madoff:**

Well, that's who they have been — well, who do they take orders from or who do they give orders to, I'm not quite sure.

**Mr. Stone:**

Those requests are going to the same man we are talking about all the time.



**Michelle Madoff:**

And who is that, Ken Fields?

**Mr. Stone:**

Ken Fields.

**Michelle Madoff:**

And you think Ken Fields doesn't take orders from the Mayor, maybe he is the second ghost Mayor. I mean, let's not kid ourselves, there is a lump sum of money that goes to departments, you have to have money at the end of the year if you are going to not raise taxes and you have to find it somewhere either by padding it — I'm new to government, but it has become very apparent in the three budgets that we was watching that somehow you pad the money into the — particularly, Parks and Recreation seems to be the place to put it and that you have to have your surplus otherwise you are going to have to raise taxes the next year and it is done because of line items and I am questioning if that is the way we ought to go about things. Are we going to have a preliminary meeting on the budget and how we are going to approach the budget or are you just going to do your own thing?

**Mr. Stone:**

I'll talk about that when we finish final action.

**Michelle Madoff:**

But I would hope we would have a meeting this year since I understand a little bit more about it, I would like to offer some suggestions so that we just don't go helter skelter and waste a lot of time that is unnecessary and maybe we can find some sources of revenue.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

**Mr. Stone:**

Mr. President, in accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 1968 shall be the date it is signed by the Mayor.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

**Bill No. 1976**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Davison Sand & Gravel Company, 3rd Avenue and 4th Street, New Kensington, PA 15068, in the amount of \$706.81 in payment for the purchase of 78.10 tons of sand furnished for the benefit of the City and providing for the payment thereof.

Which was read.

Also,

**Bill No. 1977**

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Weinman Pump and Supply Company, 110 Delta Drive, P.O. Box 11403, RIDC Industrial Park, Pittsburgh, PA 15238, in the

amount of \$818.00 in payment for the purchase of a Centrifugal Pump for Brashear Reservoir and providing for the payment thereof."

Which was read.

Also,

Bill No. 1978

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Kappe Associates, Inc., P.O. Box 1036, Rockville, MD 20850, in the amount of \$3,951.00 in payment for the purchase of Two Ejector Sewage Pumps, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 1979

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Wenger Corporation in the amount of \$3,455.38 in payment for emergency repair work on the Parks and Recreation Showmobile, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1980

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of H. S. Westover, Inc., in the amount of \$1,495.00 in payment for emergency repair work in the Parks and Recreation Showmobile, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1981

A Resolution entitled, "Resolution transferring the amount of \$115,000.00 from the Community Swimming Pools Trust Fund (CSPTF) to the Unrestricted Cash Balance in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1982

A Resolution entitled, "Resolution repealing Resolution No. 892, effective September 26, 1980, entitled: 'Authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$6,064.10 in payment for work performed at Ammon Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1989

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Stoelting Company, 1350 South Kostner Avenue, Chicago, Illinois 60623, in the amount of \$264.49 in payment for repairs to Polygraph equipment, furnished for the benefit of the City; and providing for the payment thereof.

Which was read.

Also,

Bill No. 1996

A Resolution entitled, "Resolution providing for the issuance of a warrant to Sharon Schiffhauer, c/o David P. Siegel, Esquire, Seewald, Carb & Siegel, 1107 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$2,600.00 in full settlement of a claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 1997

A Resolution entitled, "Resolution providing for the issuance of a \$2,864.00 warrant in favor of Simeon N. and Tina S. Koutoufaris in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 1998

A Resolution entitled, "Resolution providing for the issuance of a warrant to William Pekular, c/o Harry W. Miller, Esquire, 1602 Frick Building, Pittsburgh, PA 15219, in the amount of \$1,200.00 in full settlement of a claim for personal property damage, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 1999

A Resolution entitled, "Resolution transfer-

ring \$3,000.00 from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer to Code Account No. 32, Refunds, Protest Towing and Storage Charges, Department of City Treasurer."

Which was read.

Also,

Bill No. 2000

A Resolution entitled, "Resolution transferring the aggregate sum of \$8,000.00 within Code Accounts of or administered by the Department of Law."

Which was read.

Also,

Bill No. 2001

A Resolution entitled, "Resolution providing for a transfer of \$10,000.00 from Code Account 1043, Miscellaneous Services, City Information Systems, Mayor's Office to Code Account 1044, Supplies, City Information Systems, Mayor's Office."

Which was read.

Also,

Bill No. 2002

A Resolution entitled, "Resolution amending Resolution No. 763, approved August 8, 1980, Transferring the sum of \$4,367.93 from CETA Trust Fund, Federal Funds to Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission to reimburse the cost of CETA Usage of the Xerox 3400 copier machine for the time period August, 1979 through June, 1980'."

Which was read.

Also,

Bill No. 2003

A Resolution entitled, "Resolution providing

for an agreement or agreements with a consulting firm for professional services for a cash management training course for the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2004

A Resolution entitled, "Resolution providing for an Agreement or Agreements with ACTION-Housing, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 2005

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Program Research and Development, Inc., to provide educational tutoring and counseling services for City of Pittsburgh C.E.T.A. Career Advancements Voucher Demonstration Project participants and in-service training to C.E.T.A. Career Advancement Voucher Demonstration Project Counselors and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty

Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2085 Report of the Committee on Public Works for November 12, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1897

A Resolution entitled, "Resolution granting unto Bell Telephone Company, 201 Stanwix Street, Pittsburgh, Pennsylvania 15219, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense a Bell Telephone Utility Cabinet behind the sidewalk portion of the various agreed upon locations in the City of Pittsburgh." (AS AMENDED IN COMMITTEE).

Which was read.

Michelle Madoff:

Mr. President, on Bill No. 1897, I am a little concerned, it has been brought to my attention that Bell Telephone is now having boxes where they store equipment above ground, as a matter of fact on the new development — the new repairs at the corner of Forward and Murray at the entrance to the Parkway, I didn't know what this little box was sitting there and it appears that is one of the things they want to do is set them — Mr. Stone, I want you to hear this — set them above ground. Now, I was out of the room when that bill came up last time and I thought they held it, but it turned out we weren't holding it they just didn't notify us. I have great

concern about the equipment being above ground, a car hitting it, it is right at the curb and I understand they are trying to do this throughout the City and before we vote on this could we hold it one week and have that checked Mr. Coyne.

Mr. Coyne

Mr. President, I don't think Mrs. Madoff is aware of the fact that Mr. Stone introduced an amendment that I think takes care of this situation and that before any of these permissions are granted they are going to have to get the approval of City Council to do it, so it is already in the bill as amended.

Michelle Madoff:

Well, was Council aware, because as I said, I was out of the room when that amendment was placed.

Mr. Coyne

Well if you look at Section 8 of the bill it explains it.

Michelle Madoff:

No, but what I am saying, is Council aware that they are placing them above ground?

Mr. Coyne

Yes.

Michelle Madoff:

Okay, that is all I wanted to know.

Also,

Bill No. 1957

A Resolution entitled, "Resolution amending Ordinance No. 190, approved June 13, 1968, entitled, 'An Ordinance designating certain streets in the City of Pittsburgh as Mall Streets and Mall Transit Streets; providing for the regulation of such streets,

and penalties for the violation thereof by revising Mall Transit Streets."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 2086 Report of the Committee on Planning, Housing and Development for November 12, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1919

A Resolution entitled, "Resolution amending Section 1 of Resolution No. 1019, effective November 21, 1979, providing for an Agreement or Agreements with the East Liberty Development, Incorporated, a non-profit organization located at 124 South Highland Mall, for the purpose of executing and administering a Community Revitalization Program for the East Liberty Mall Area, so as to increase the amount allocated

from an amount not to exceed \$50,600.00, to an amount not to exceed \$61,298.73."

Which was read.

**Michelle Madoff:**

On Bill No. 1919, I would like my comments brought forward, I would like to point out to Council that we have gone approximately \$11,000 specifically for advertising and while that advertising is for the organization, not for the individual shops, I think it is incumbent upon the leadership of that community, the corporation of that community to assess or to jointly raise money for advertising, I have no objections to giving them the \$11,000 or greater sums of money for improvement of the East Liberty area. I spoke to the gentleman who is representing them from the East Liberty Chamber of Commerce last week and he said that they need a lot of money for Penn Avenue to straighten out that mess, but I think we are opening a can of worms if we are going to give the East Liberty Mall money to advertise then I think we ought to give — I can't remember the name of the place on the Hill, Bill, what is it called?

**Mr. Robinson:**

Phoenix Hill.

**Michelle Madoff:**

Phoenix, they could use a little advertising, people are hurting now with the businesses in Shadyside, they could use a little advertising and some of the little malls, the Bank Mall in Shadyside and we've got the Bank Mall down here, I just don't think we can do that, it is inappropriate. We have one in West End/Elliott that has a little mall, they have called and asked me for money and I have told them we can't give them advertising money, so I never even brought it to Council.

**MICHELLE MADOFF'S REMARKS**

**ON BILL NO. 1919 FROM**

**THE MEETING OF**

**WEDNESDAY, NOVEMBER 12, 1980:**

**Michelle Madoff:**

This issue came to light because last week I asked a question. I said, "Why are we going from \$50,000 to \$61,000?" And Mr. Lurcott, if you would like to join us if nobody objects, said, "Because we are now going to use it on an experimental program. On that experimental program we will re-do some advertising." I said I had no objections to the \$50,000 to improve that area. I think we owe to that area, but I did not say that we should be addressing or supplying money for businesses to advertise.

Now the issue that you raise, Bill, which is very pertinent because it sounds to me like you are getting the same calls and the same mail I'm getting. It says that there is a fountain and one of the fountains have been removed. However, there is another one that hasn't been removed. The senior citizens are sitting around this fountain, there's a bus stop, and the kids coming out of school are making it impossible and joggling and jostling and they are harassing senior citizens. So your point is well taken and I am saying what I said originally, get the damn fountain out of there with the \$11,000 and replace that area as opposed to giving them money for advertising. We will give you the money for something constructive that we are authorized, as guardians of the dollar, as opposed to giving you money to promote your businesses and I still will stand by that.

**DIRECTOR LURCOTT SPEAKS**

**Michelle Madoff:**

I want to ask a question. Is it conceivable that if we could take that difference of \$11,000 and address the issues that Mr. Robinson has raised, remove the fountain and remove some of the problems, take some of the things that are causing havoc in the community and let them raise their own money for promotion?

**Director Lurcott:**

To my knowledge we have removed the two fountains that were in question.

**Michelle Madoff:**

Then there are no more problems. The only problem we have now in East Liberty is promotion.

End of Michelle Madoff's remarks on Bill No. 1919.

**Mr. Robinson:**

Mr. President, I would just like to, if it would be appropriate, on Bills 1919, 1932 and 1933, I would like to have my comments included in the record, those are the comments of November 12, 1980.

**MR. ROBINSON'S COMMENTS  
ON BILL NO. 1919  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 12, 1980:**

**Mr. Robinson:**

Mr. Chairman, I believe each member of Council did receive from Mr. Lurcott a copy of a report that I had requested relative to what had been done out in the East Liberty area as far as revitalization is concerned. I hope everyone has had a chance to look at that. One thing that should be mentioned is that Council did originally authorize the expenditure of \$50,000 and when we authorized the expenditure it was not to be given to the East Liberty Development Corporation. There were some other circumstances that we thought had existed at that time and I believe that the request for \$11,000 raised in my mind a concern about the original monies that we made available and how they were spent and how the \$11,000 was to be spent. One thing that should be mentioned is that it is rather obvious that the money had been spent for promotional activities and certainly Mrs. Madoff has raised some concerns on that. I just wanted to indicate that we did have the report and that we did authorize an expenditure and I think it is a question now as to whether or not we had sufficient information at that time and whether or not perhaps somewhere in the process of the mechanics that this changed so that now

we are funding something that we did not realize we were going to fund.

I would just like to make a couple other comments. I think that certainly the revitalization of that mall comes out of some recognition on the part of the City of Pittsburgh that perhaps the mall design is not in the best interest of the merchants or the people who live in that area. The promotion of the businesses in that area certainly must be of some concern to us of for no other reason that it is a neighborhood commercial area which needs to be sustained. But I think beyond that we are going to have to look at some other things that have caused that area to perhaps decline.

I believe it was Mr. Givens who raised the point when we had these hearings on the East Liberty area that there was not a crime problem but rather individuals who were harassing potential patrons. I don't know what they are doing in regards to addressing that issue, particularly for youngsters. But I think that if we indeed are going to approve money for these kinds of activities to promote the generation of business in that area, we should also consider money that would help the merchants in that area address the problem of people who possibly might be harassing or might be potential harassers. So I'm concerned about that, perhaps a little bit more than whether or not this \$50,000 has been spent to promote Christmas, Easter, Mother's Day and what have you. If indeed people are brought into that area and we have not addressed the potential problems of crimes and so called anti-social behavior, then I don't think our \$50,000 has been overspent. I would hope that Mr. Lurcott would move again to look at what kinds of programs can we fund with CDBG funds that would specifically relate to the issue of young people in that area who perhaps might be a detriment to stimulate some business activity.

I have some serious concerns about the process that was utilized in City Planning to do this. I don't think that City Planning should utilize this approach in the future.

It leads me to believe that we have been misled. If we say we are going to do something, let's do that and not change horses in the middle of the stream and then come back and say, "We're basically going to do the same thing but we're going to do it with some other people". I don't think that is quite fair.

End of Mr. Robinson's remarks on Bill No. 1919.

**Mr. Givens:**

Mr. President, I would just think that the President of the United States as well as the Congress of our United States, had bailed out a major City, the City of New York, also some major corporations in this country and I think here in Pittsburgh, on a smaller scale, we are just trying to do likewise to stimulate a particular industry out in our East End, a commercial industry that has been really taking it on the chin here for about the last ten years. Those people are hanging on by their fingernails out there and if we don't give them some type of assistance and help and this is a little bit over and above what they can normally do themselves, and once this seed of cooperation is put into effect out there, I think the total East Liberty merchants will get together and really do something with that area out there and in doing so save one hell of a business market that now, as I indicated, is hanging by its fingernails.

**The Chair:**

I would agree with the exception, and I have to agree with Mrs. Madoff, there are more distressed areas in the City of Pittsburgh, so if we are going to go for one, looks like we're going to be doing it for a lot of people.

**Mr. Givens:**

Well, there is a philosophy there Mr. President, I think we are trying to do as much as we can for the distress areas, and here is an area that will be distressed if we



don't do something about it right quick and it is affecting a large market area.

**The Chair:**

I think what we are doing is very meritorious, I'm just saying as Mrs. Madoff said, it is going to catch on and you are going to have a lot of people coming at you.

**Mr. Stone:**

Mr. President, if I may, I think I kind of crystalized my thoughts on Wednesday relative to this project and I would like those remarks all brought forward to these minutes.

**MR. STONE'S REMARKS  
ON BILL NO. 1919  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 12, 1980:**

**Mr. Stone:**

If I may here at this moment, I may, even at the expense of boring some of you for past history, but I think we have to look at this East Liberty Mall thing with a little closer eye than glosserly here.

First of all I don't know of any business district, commercial business district, that's ever been as traumatically affected as this particular area. They uprooted everything and these people are asked to go along with it and they have been going along with it. The only thing now is that its becoming the "East Street" of commercial development in the City of Pittsburgh. I don't know how long this damn thing is going to continue to where those people continue until the point that they get the noose around their neck and we end out choking them and killing them.

I would like to see somewhere along the line that these people get police protection. I don't think that anyone's been more faithful to the City of Pittsburgh than the East Liberty Mall merchants. They've tried to

maintain their stores, they've gone through this whole thing and all they've gotten is false promises.

I can remember time and time again going out Baum Boulevard, then you couldn't make a left to go into the project and it was just — we had jams over there and the only thing is that we had an iron fence around it and you couldn't get to it. Somewhere along the line we ought to face up to the issue here and get this one cleared up so that the people can get on with doing what they were supposed to do and that is to run their establishments until the City of Pittsburgh went in there with a program that screwed up the whole program. Now I think when we deal with that basic premise that it was the City of Pittsburgh with poor planning, who gave them a bad deal, I think we owe a responsibility to right that at this point and do it as quickly as we can. It doesn't make any sense for us in one sense to be giving money and then having people come over there and have the young kids chase them away. Is the Superintendent of Police here?

I want to do this much for East Liberty so this thing doesn't drag and become cancerous. Put it on a post agenda Mike — Police Protection, Environmental Resources, Public Works, Planning and any other agency relative to that particular unit. Let's get them something that can clear it up once and for all. This is not fair, you are trying to tear down a mountain by scratching with our fingernails and no way is it going to work that way.

If every person knew when he put an ad in the paper that he is going to get "x" number of dollars, you know he would be hitting that pretty good. Now we're talking about an area that has been traumatically upset by us. It has all of these problems and we are not giving them service, namely in police protection, and we're saying that we cause a promotion and we let the kids run wild, wilder because it will be Christmas that we should expect a return. That's asking and overburdening these people a little too much.

Mr. Robinson, even if we don't give them the money, can we in good conscience expect that they are going to do something for Christmas and expect with all of the problems that they have, that come Christmas is going to be aggravated, okay, and we are not helping them. One of the keys is police protection and we ought to be giving it.

End of Mr. Stone's remarks on Bill No. 1919.

**Michelle Madoff:**

May I respond, everybody forgets that we okayed \$50,000 and there is more money coming down, I just heard from Mr. Robinson there is more money in the budget. Nobody in this Council is saying don't help East Liberty. We are saying give them whatever they need, we messed it up, but when the President of the United States and the Congress came through with money for New York, they didn't give them advertising money, when they did the advertising on the Big Apple, one of my friends is one of the three that runs the Big Apple and I tell you that is all the money was used for.

**Mr. Flaherty:**

Mr. President, I believe that Councilman Robinson requested from the person from the Chamber of Commerce for the contributions from the stores in that area and I was curious as to if we have received that information.

**Mr. Robinson:**

Mr. Flaherty, I did receive a memo from Mr. Lurcott in our Planning Department outlining the contributions to date which is roughly \$2,600, it is my understanding that there will be additional contributions and that this Council will receive a report from Mr. Lurcott after any additional contributions.

**Mr. Flaherty:**

But are they going to be coming forth

with contributions in the future Bill? I mean, do we have a commitment on it or no?

**Mr. Robinson:**

Well, it is my understanding that the Development Corporation and part of the development strategy is requesting specific contributions from all the merchants in the East Liberty Mall area.

**Michelle Madoff:**

How many people are there in the area? Does anybody know the numbers of volume? I'm going to take a guess because I shop up there, the National Indoor Tennis Club is up there and my aide was administrator. I'm up there rather frequently, I'll take a guess off the top of my head there has got to be close to 100 operations, would you say that is not too far off?

**Mr. Robinson:**

I really don't know.

**Michelle Madoff:**

If you take \$11,000 and divide it by 100 —

**The Chair:**

How far of an area are you taking into consideration?

**Michelle Madoff:**

I'm taking the whole area that belongs to the Development Corporation —

**The Chair:**

If you're taking all of East End —

**Michelle Madoff:**

Alright, but if you've got a hundred businesses that you are really saying kick in, what are we talking about? Basically \$100. I mean this is ridiculous, let's give

them that \$11,000 to work on bettering the community.

**Mr. Stone:**

Call for the vote.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
<b>Mr. O'Malley</b>	<b>(Pres't)</b>

Ayes 7    Noes 2

(Mr. Flaherty and Mrs. Madoff voting No)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1932

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William R. Lynch and Lillian Lynch for the sale of Parcel 4C-2 in the Eleventh Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 1933

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelop-

ment Authority of Pittsburgh and Old Allegheny Realty/Wheeler's Paints for the sale of Parcel 4C-3 in the Eleventh Ward of the City of Pittsburgh."

Which was read.

**Mr. Robinson**

I would also like my comments from Wednesday's meeting on Bill Nos. 1932 and 1933 incorporated into the minutes of this meeting.

**MR. ROBINSON'S REMARKS  
ON BILL NOS. 1932 AND 1933  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 12, 1980:**

**Mr. Robinson:**

Mr. Chairman, I think that one of the difficulties now is the time factor in terms of when the principles would have to move out of their property, and I think that we need to have from either the Port Authority or URA something in writing indicating when they actually need possession of these properties. What I am fearful of is that we might approve this and then find that the time period that is allowed is insufficient. They may have signed an agreement and then find themselves in the street with no place to go. We need to have something from URA and PAT to let us know what the time limit is they feel is necessary to gain control of those properties.

End of Mr. Robinson's remarks on Bill Nos. 1932 and 1933.

Also,

Bill No. 1937

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lawrence P. Gessner and David L. Koloskee Partnership for the sale of Parcels 168 and 169 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

**Bill No. 1938**

A Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Lawrence P. Gessner and David Koloskee Partnership in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Twenty-First Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

**Bill No. 1992**

An Ordinance entitled, "An Ordinance amending Ordinance No. 33, enacted the 29th day of October, 1979 which amends the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921 Section 921.02, Zoning District Map No. 3 by extending the period of time under Section 2 which is provided for recording of an APPROVED Subdivision Site Plan with the County Deed Recorders Office."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bill's pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mrs. Masloff presented

No. 2087 Report of the Committee on Parks and Recreation for November 12, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 1983**

A Resolution entitled, "Resolution amending Resolution Number 818, approved August 19, 1980, effective August 25, 1980, entitled, 'Resolution providing for an agreement or agreements with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for reimbursements to the City by Allegheny County Institutional District for supplies and equipment expenditures in connection with Senior Citizens Program.'"

Which was read.

Also,

**Bill No. 1984**

A Resolution entitled, "Resolution amending Resolution No. 919, effective September 26, 1980, entitled, 'Providing for an Agreement or Agreements with the Architects of the new West End Shelterhouse, the Westwood Pool, and the Highland Bathhouse for professional services in connection with the design and installation of works of art at these locations; and providing for the payment of the cost thereof' by increasing the authorization to \$8,700.00."

Which was read.

Also,

**Bill No. 1985**

A Resolution entitled, "Resolution further

amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by providing for an additional appropriation of \$115,000.00 for Project PR 79-05, 4-10-05-1380-79, Swimming Pools Including Brookline and Highland Park Bathhouse, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 1986

A Resolution entitled, "Resolution repealing Resolution No. 1212, effective December 31, 1979, entitled, 'Providing for a contract or contracts for the construction of Schenley Park Oval Improvements and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1987

A Resolution entitled, "Resolution repealing Resolution No. 935, effective September 26, 1980, entitled, 'Repealing Resolution No. 1389, approved December 8, 1978, effective December 14, 1978, entitled; 'Providing for a Contract or Contracts or use of Existing Contracts for the repair of restrooms at Ammon Recreation Center and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 1988

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the renovation of the Highland Park Swimming Pool Bathhouse; and providing for the payment of the cost thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 2088 Report of the Committee on Lands and Buildings for November 12, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1962

A Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the construction of a new No. 42 Fire Station, Chestnut Street and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1963

A Resolution entitled, "Resolution repealing Resolution No. 206, effective April 4, 1980, entitled, 'Providing for an Architectural and/or Engineering Agreement or Agree-

ments in connection with the construction of a new No. 42 Fire Station, Chestnut Street and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1964

A Resolution entitled, "Resolution providing for a contract or contracts in connection with Public Property Sidewalks and providing for the payment of the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

Mrs. Masloff presented

Bill No. 2089

Resolution approving the re-appointment of Charles T. Briggs, Ten Allegheny Center #617, Pittsburgh, PA 15212, as a district member of the Pittsburgh Cable Communi-

cations Advisory Committee for a two year term to expire December 31, 1982.

Which was read.

Also,

Bill No. 2090

Resolution approving the re-appointment of Joseph P. Davis, 226 South Evaline Street, Pittsburgh, PA 15224 as a district member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1982.

Which was read.

Also,

Bill No. 2091

Resolution approving the re-appointment of William Friedman, 2396 Valera Avenue, Pittsburgh, PA 15210 as a district member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1982.

Which was read.

Also,

Bill No. 2092

Resolution approving the re-appointment of Garland McAdoo, 3125 Breckenridge Street, Pittsburgh, PA 15219 as a district member of the Pittsburgh Cable Communications Advisory Committee for a two year term to expire December 31, 1982.

Which was read.

Also,

Bill No. 2093

Resolution approving the re-appointment of Hedda Sharapan, 4478 Parade Street, Pittsburgh, PA 15207 as a district member of the Pittsburgh Cable Communications Ad-

visory Committee for a two year term to expire December 31, 1982.

Which was read.

**The Chair:**

Sophie, may I ask you a question, now that the Cable T.V. franchise has been awarded, what is the purpose of the Committee staying in existence?

**Mrs. Masloff:**

Well, this is the Advisory Committee which is mandated in the original proposal. These five people were on the Committee and they have given much time and energy so far to the proposal.

**The Chair:**

I understand it is all voluntary too, I was just curious as to why they were still —

**Mrs. Masloff:**

If they were not re-appointed, much time would be lost in familiarizing others who would be appointed as to what has been done and what still has to be done, so I move to re-appoint these five members.

**The Chair:**

Is there any further discussion on the re-appointments?

And on the question, "Shall the re-appointments be approved?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the re-appointments were approved.

**Mr. Robinson presented**

**Bill No. 2094**

Resolution approving the appointment by City Council of Mrs. Anne Davis of 408 Hancock Street, Pittsburgh, PA as a member of the Vacant Property Review Board pursuant to the provisions of Ordinance No. 31, approved November 17, 1978.

Which was read.

**Mr. Robinson moved for approval.**

**The Chair:**

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the appointment was approved.

**Michelle Madoff:**

Mr. President, I have two important items to bring before Council. As you know, we have had a number of fatalities due to fires in the City and we have shown great concern and we have had some hearings and Mr. Imhoff was doing some inspections. I have been working with the residents of

the Wendover Apartments probably for over a year now. They have had a series of unexplained fires usually on Thursdays, they have now proven to be arson and according to their information in a letter to me — this is from the representative of The Wendover and they haven't signed it, I have an idea who it is from its the — I know the brother of the people there, I guess they are afraid of having to be told to move out of the building, they want to stay there but they want corrections made. I'd like to have a post agenda scheduled and have — they say in the letter that a general investigation unit of the Police Department had been out but they did not find out, they were not told what the problem was, so I'd like to find out who the general investigation unit of the Police Department is and invite them to a post agenda. I'd like the National Apartment Leasing to be here and I want Mr. Imhoff to be here.

They also go on to say our Fire Alarm system is not good either, so let's have somebody from the Fire Department, probably someone who has been in that building, I think they've already had people go through it. Some smoke detectors have been installed in the corridors and in every apartment. I called the owner of the building and he was very cooperative and in two weeks the smoke alarms were put in, but this may get to the issue of whether we have to hot wire at least one or two and I think we ought to find out — these people are living in fear of their lives, they have had a series of fires, they couldn't get out of the lobby and so on and I would like that, even though we are in budget hearings, I think when we are talking about lives we have to schedule it.

**Mr. Givens:**

Well, do they have fire escapes in that building?

**Michelle Madoff:**

I'm not sure; I really don't know that. That is a good question to ask.

**Mr. Givens:**

What do you mean?

**Michelle Madoff:**

I can't picture that, I don't remember.

**Mr. Givens:**

They couldn't get out of the building you say?

**Michelle Madoff:**

The windows in the lobby were locked, some of the people who got to the lobby couldn't get out and there are some serious problems and we ought not wait until after the fact and we ought to look into it.

**Mr. Givens:**

I have to agree with you Michelle, in fact, again, I would urge that you would ask that someone from the various departments go out and look at that building so that when we come to the post agenda that they will be able to —

**Michelle Madoff:**

They have, they have all been there, and they say they have been — I don't want to read the letter and take all of your time, but they go on to say that they were told if they wanted to get anything done to put the heat on the owners and to get some kind of round the clock protection from a private guard and please help us, you know, its a "we're desperate" kind of letter. I think we just can't ignore it.

On another matter — I wonder if this Council remembers, because I don't think anybody showed up at it or very few people, but about a year or so ago, I held a meeting with representatives of the Western Pennsylvania Hospital about having stand-by water and having backflow protectors installed in the hospitals. That was a bill passed by Council two years before I got here. Backflow protection is when contamin-



ants coming out of a hospital can affect the palatable water, the drinking water, that it won't flow back in, particularly in hospitals where you have T.B. and what have you, or contaminants from wounds and as a matter of fact if memory serves me well, the Air Pollution Bureau allows incineration between four and certain hours on those toxic or dangerous wastes.

It appears, I have a letter, I have been trying to get in touch with a representative from Magee Hospital, who sent me this letter, and he is a Mr. Drew Chittester, Chairman of the Engineering Services, he is away and I am trying to get his supervisor who knows about this or the Administrator of the Hospital, but he sent me crud, and the crud is coming up in the dietary department, plastic film and leaves. Reports were received from other areas such as the Pathology Lab, that the leaves surface from our water supply, the City water supply. Presumably it is coming from the Highland Avenue Reservoir and that — I think I'm going to have to read you the letter because it would take longer to tell you about it than to read it to you.

"Dear Michelle:

The following information is being submitted for your consideration relative to the above subject. In addition I will elaborate on a serious concern relative to the water service to Magee Women's Hospital.

The Hospital Council Engineering Service Committee —"

and that is an association of hospital engineers,

"has accomplished much in the installation of backflow preventers, not only in the City of Pittsburgh but also throughout the Western Pennsylvania 105 Hospitals. Due to the cooperation of involved parties —"

and it goes on to list them all,

"...it took 18 months of conversation to reach the end product —"

and they have now installed them,

"...the willingness of the health care industry to cooperate is evident due to certification to the classroom and the installation of backflow preventers by a number of City hospitals. Magee Women's is contemplating its installation, the expansion project. I would like to address a serious problem that has occurred on numerous occasions over the past few years at Magee Women's Hospital. Enclosed with this letter is a separate envelope of contaminants that surface within the dietary department, plastic film and leaves. Reports were received from other areas such as the Pathology Labs, that leaves surface from our water supply.

Upon receiving this information I immediately notified the Water Works Department, I was informed by Mr. Tom Bruecken —"

and I presume when he says the Water Works Department he means ours, and if he means Mr. Bruecken he means ours,

"since the Highland Reservoir is not covered the City was experiencing problems due to a variety of contaminants."

In other words that is what Mr. Bruecken told him,

"A condition of this nature paralleled with a backflow preventer application appears to be rather contradictory in that the health care field must prevent contamination to City water supplies while the City provides the health care field. At least this institution with contaminated water. It appears the next item, the health care field, will be required to install some form of filtration for all incoming supplies. Looking ahead, the possibility may exist we may be asked to filter and develop our own water supplies."

They are saying, pretty soon, they will say, "Hey, the City has no responsibility, just do our own", and I think we have a very serious problem, this gets back to Mr. Givens' objections to not covering one of

the water supplies, where kids were swimming, and adults.

Now we've got a very serious problem at the Highland water supply, I think we are going to have to address this in next year's budget because it might be cheaper than the lawsuits we might get from this kind of crud coming up in the dietary department of a hospital.

**Mr. Stone:**

Mr. President, if I may, I'd just like to alert all members of Council that this coming Thursday, I think you've all gotten a letter now, we will begin with our budget deliberations starting with Grants and Donations on Thursday, November 20, 1980, as well as that comes in, we will then be filling up Friday, November 21st.

I would also like to bring to your attention that beginning November 24, 1980, Monday, we will have some day sessions plus night sessions on November 24th on citizen participation, groups and organizations. Likewise that will be the format for Tuesday, November 25th, morning, afternoon and evening. Wednesday will be open relative to additional citizen participation.

**Michelle Madoff:**

Are you saying we are starting this Thursday the 20th and going through to the 24th, day and night on —

**Mr. Stone:**

That is exactly what I said.

**Michelle Madoff:**

But Thursday you have nothing scheduled at night? You have nothing the 20th at night, it stops at 4:00.

**Mr. Stone:**

The only evenings so far are November 24 and November 25.

**Michelle Madoff:**

And Friday you are having it during the day, you said something about Friday, I didn't get what you said about Friday.

**Mr. Stone:**

Friday, the 21st.

**Michelle Madoff:**

What are you going to do there?

**Mr. Stone:**

That is open for additional grants and donations during the day.

**Michelle Madoff:**

So that is grants and donations, then we go into citizen participation the following week. When do we go into the usual routine?

**Mr. Stone:**

December 1 we will start Stage I, December 8 we will start Stage II, I have already met with the Directors and department heads this morning and have instructed them that they will meet with our budget staff for data collecting before Stage I, so that Stage I will move a little more dispatched than it has in the past. A letter to our Capital and Community Development Budget, to meet with Mr. Albert relative to our data collection so that that process will likewise move with dispatch.

**The Chair:**

I just want to say Mr. Stone, that obviously our Clerk is going to send out schedules to each Councilperson informing them the dates of all the hearings, but thank you for bringing it to our attention.

**Mr. Stone:**

Yes, I have already prepared that, it is

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a matter of preparing it, but what I wanted to do is to tip off everybody relative to this week and the early part of next week.

**Mr. Stone** moved to approve the minutes of Monday, November 3, 1980.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, November 24, 1980

No. 45

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't. City Clerk

Pittsburgh, Pa.

Monday, November 24, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Given	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Michelle Madoff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 2095 Resolution further amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, as amended by Resolution No. 1062, approved 10/

20/80, effective 10/23/80, entitled, "Providing for a Contract/s or utilization of existing Contracts, authorizing the resurfacing of various City streets and Park Roads, etc.", by reallocating the funding sources.

Which was read and referred to the Committee on Public Works.

Mr. Coyne moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 2096 Resolution transferring the amount of Two Thousand Seven Hundred (\$2,700.00) Dollars from Code Account 42-2, Contingent Fund to Code Account No. 1640, Salaries, Regular Employees, Traffic Control Division, Bureau of Operations, Department of Public Works.

Also,

No. 2097 Resolution transferring the amount of \$800.00 from Code Account 1534, Equipment to 1544, Sewer Maintenance Contracts, both accounts within the Department of Public Works.

Also,

No. 2098 Resolution transferring the sum of Thirty One Thousand (\$31,000.00)

Dollars from Code Account 1612, Materials, Street and Sewer Maintenance Division to Code Accounts 1610, Miscellaneous Services 1611, Supplies, 1611-1, Utilities and 1612-1, Repairs, all accounts with the Department of Public Works.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2099 Resolution amending Resolution No. 1063, approved October 2, 1978, effective October 4, 1978, entitled "Providing for an Agreement or Agreements with a Consultant/s for Professional Engineering Services in connection with the design of the Wood Street Bridge and providing for the payment of costs thereof", by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from \$67,000 to \$72,680.00.

Also,

No. 2100 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$17,640.00 for extra work for the B Program, Rehabilitation of Various Streets and Park Roads, Controller's Contract Nos. 23104 and 23104-F.

Also,

No. 2101 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$2,735.70 to Western Union Telegraph Company for telegrams involved in preliminary planning and design of new City Asphalt Plant, to be payable from Code Account No. 1610, Miscellaneous Services, Bureau of Operations, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 2102 Resolution providing for the

issuance of a warrant in favor of Edward Margolis in the amount of \$385.74 for extra work furnished for the benefit of the City in connection with the design of No. 8 Police Station, chargeable to and payable from Capital Project LB 76-04 (4-25-05-0055-76) 1, Police Station No. 8, Relocation, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 2103 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 2104 Resolution providing for the transferring of the sum of \$133,100.00 from various code accounts to various code accounts, all within the Department of Supplies.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Also,

No. 2105 Resolution providing for the letting of a contract/s for the furnishing and delivery of lightweight composite cylinders for the Fire Department, the cost of which is not to exceed \$10,000.00, chargeable to and payable from Code Account Number 1468, Equipment, Department of Fire.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 2106 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, Section 161.08, Supplies Contracts; Item award, by providing for the specification that such contracts may be awarded item by item or on a total bid basis at the discretion of the Director of the Department of Supplies.

Which was read and referred to the Committee on Supplies.

Also,

No. 2107 An Ordinance regulating obscene activities, displays, exhibitions, and materials, pursuant to State Senate Bill No. 544 of 1979 which authorizes political subdivisions to regulate same; and repealing Ordinance No. 5 of 1979.

Which was read and referred to the Committee on Public Safety.

**Michelle Madoff** presented

No. 2108 Resolution transferring \$50,000.00 from Code Account No. 1792, Contingency Funds, Unexpended Salaries, to Code Account No. 1700-1, Premium Pay, Department of Water.

Also,

No. 2109 Resolution providing for the transfer of funds to Parks and Recreation's

Code Account 1831, Wages, Regular Employees, Bureau of Recreational Activities in the amount of \$28,000 from Council's Contingent Fund, Code Account 42-2.

Which was read and referred to the Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mrs. Masloff** presented

No. 2110 Resolution authorizing the issuance of a warrant in favor of Robert Augustine & Sons, Inc., in the amount of \$5,660.82 in payment for work performed at the Schenley Park Golf Clubhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Approved by Council Bill No. 1917 of 1980.

Also,

No. 2111 Resolution amending Resolution No. 1141, effective December 2, 1977, entitled: "Authorizing the issuance of a warrant in favor of Robert M. Fenton, Architect, in the amount of Two Thousand (\$2,000.00) Dollars, in payment for Extra Design Work in connection with the Renovation of Mount Washington Park, furnished for the benefit of the City without previous authority of law and providing for the payment thereof" by decreasing the authorization to \$1,957.58.

Also,

No. 2112 Resolution amending Resolution No. 899, effective September 26, 1980, entitled: "Authorizing the issuance of a warrant in favor of Richard Funk in the amount of \$4,010.00 Dollars in payment for

work performed at Arlington Heights Recreation Center furnished for the benefit of the City without previous authority of law; and providing for the payment thereof" by changing the year of the funding source from 1976 CDPR to 1975 CDPR.

Also,

No. 2113 Resolution transferring to the following Parks and Recreation Code Accounts the aggregate sum of \$67,000 from Code Account 42-2, Council's Contingent Fund.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2114 Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597 of 1978, Resolution No. 1205 of 1978, and Resolution No. 339 of 1979 entitled: "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds;" by increasing the funds for Project No. PR 78-09, Project Code No. 4-10-05-1332-78, Swimming Pools, within the Department of Parks and Recreation, not exceeding \$853,000.00.

Also,

No. 2115 Resolution providing for an Agreement or Agreements or the use of existing Agreements with architects, engineers, or other professional services in connection with the design of Northgate Park and Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof, not to exceed \$3,000.00.

Also,

No. 2116 Resolution providing for an Agreement or Agreements with the Pittsburgh History and Landmarks Foundation for the installation of lighting at the Phipps Conservatory, the cost of which shall be

paid by the Pittsburgh History and Landmarks Foundation.

Also,

No. 2117 Resolution providing for the letting of a contract/s or the use of existing contracts for the Renovation of the West End Park Shelter; and providing for the payment of the cost thereof, not to exceed \$20,000.00.

Also,

No. 2118 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,405.62 for extra work in connection with plumbing contract, Magee Recreation Center, P-7607.

Also,

No. 2119 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$473.00 for extra work in connection with general construction contract, Magee Recreation Center, Controller's Contract No. 23858.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2120 Resolution providing for Issuance of Certificate of Appropriateness. Work on exterior of 1217 Palo Alto Street, Block and Lot 23-K-108, Mexican War Streets Historic District, 22nd Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2121 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$506,600.00 from various code accounts in various amounts covering unspent monies from vari-



ous salary accounts from October 6, 1980 through November 2, 1980.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 2122 An Ordinance amending and Supplementing portions of Title Six, Conduct, Article V. Discrimination, of the Pittsburgh Code by correcting certain inadvertent typographical and editorial errata.

Also,

No. 2123 Resolution providing for the issuance of a warrant in favor of On-Line System, Incorporated, in the amount of \$143,911.00 for professional services in connection with the implementation and operation of an automated accounting and reporting system for Capital Funds and Community Development Funds.

Also,

No. 2124 Resolution providing for the issuance of a \$1,300.00 warrant in favor of Joseph G. Brimmeier, Brimmeir Vending Company in settlement of claim for property damage due to a water main break at Peralta and Vinial Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 2125 Resolution providing for the issuance of a \$1,300.00 warrant in favor of Mary Sestric for property damage due to a water main break at Peralta and Vinial

Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 2126 Resolution providing for issuance of a warrant to Stanley and Arlene Mubel, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$3,000.00 in full settlement of claim for damage and providing for the payment thereof.

Also,

No. 2127 Resolution providing for the issuance of a warrant to Elsa Andre, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213 in the amount of \$1,500.00 in full settlement of claim for damage and providing for payment thereof.

Also,

No. 2128 Resolution providing for the issuance of a warrant to Howard Geis, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$1,000.00 in full settlement of claim for damage and providing for the payment thereof.

Also,

No. 2129 Resolution providing for the issuance of a warrant to Thomas and Karen Bloom, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213 in the amount of \$4,700.00 in full settlement of claim for damage and providing for the payment thereof.

Also,

No. 2130 Resolution providing for the issuance of a warrant to Kenneth and Brenda Williams, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$1,100.00 in full settlement of claim for damage and providing for payment thereof.

Also,

No. 2131 Resolution temporarily transferring the sum of \$72,000.00 from Unrestricted Cash, Urban Redevelopment Authority, to Unrestricted Cash, Department of City Treasurer, Bond Fund.

Also,

No. 2132 Resolution transferring \$1,605,000 from Code Account No. 42-2, Contingent Fund to the following accounts: 44, Workmen's Compensation Fund, \$575,000; 45, Health Insurance, Municipal Employees, \$800,000; 54, Group Insurance Plan, Municipal Employees, \$140,000; 57, Social Security Fund, \$55,000; 57-1, Retirement, Severance Pay, Sick Leave, \$35,000.

Also,

No. 2133 Resolution amending Resolution No. 1589 of 1979 which was amended by Resolution No. 1121 of 1979, Capital Budget, by providing for an additional appropriation of \$72,000.00 for Project CT 79-01 (4-70-25-0010-79), Capital and Community Development Account Expense, Department of City Treasurer.

Also,

No. 2134 Resolution designating Banks and Lending Institutions to act as Depositories for the year 1981 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Also,

No. 2135 Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title III, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training) and providing for the payment of the costs thereof, cost not to exceed \$810,000.00.

Also,

No. 2136 Resolution providing for an

Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Part B of the Youth Employment and Demonstration Projects Act (YCCIP, Youth Community Conservation Improvements Project) and providing for the payment of the costs thereof, not to exceed \$125,000.00.

Also,

No. 2137 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of September 30, 1980.

Also,

No. 2138 Communication from Ronald C. Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of October 31, 1980.

Also,

No. 2139 An Ordinance amending the Pittsburgh Code, Title Three, Water, Article Three, Water, Article V, Rate, Charges and Uses, Chapter 331, Usage Rates, Section 2, by changing the rates.

Also,

No. 2140 An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rates, Charges and Uses, Chapter 332, Unmetered Water Rates, by changing the rates.

Also,

No. 2141 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 253, Parking Tax, Section 2, Tax Levy and Rate; Compliance by changing the rate of tax.

Also,

No. 2142 An Ordinance amending the

Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 4(b) by changing the rate of tax.

Also,

No. 2143 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 247, Institution and Service Privilege Tax, Section 2, by changing the rate.

Also,

No. 2144 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by changing the rate of tax.

Also,

No. 2145 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, by adding Chapter 256, the Home Rule Realty Transfer Tax.

Also,

No. 2146 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Article VII, Business Related Taxes, Chapter 246, Home Rule Tax, by adding "Earned Income" to the title and by changing the rate.

Also,

No. 2147 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 261, Personal Property Tax, Section 261.02, Levy and Rate, by changing the rate of tax from four mills (\$.004) to ... mills (\$...).

Also,

No. 2148 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh

and for meeting the debt charges thereof for the year beginning January 1, 1981.

Also,

No. 2149 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh, and the rate of compensation thereof for the year beginning January 1, 1981.

Also,

No. 2150 Resolution adopting the 1981 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2151 Report of the Committee on Finance for November 19, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2006

A Resolution entitled, "Resolution authorizing the City Controller to engage the services of Coopers and Lybrand for extra work in connection with the annual audit of the City's books and accounts at a cost not to exceed \$4,000.00."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2019

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Mosites Construction Company, in the amount of Two Thousand Two Hundred Sixty-Eight (\$2,268.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Lincoln Avenue Bridge, and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2020

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dales Service, in the amount of \$1,800.00; Westinghouse Electric in the amount of \$7,540.28; and General Electric in the amount of \$7,930.00 totalling in the aggregate \$17,720.28 in payment for emergency repairs and service furnished for the benefit of the City in connection with the HVAC systems at various locations and providing for the payment thereof."

Which was read.

Mr. Stone:

Mr. President, relative to Bill No. 2020, we asked for the various locations on that bill and we promised the Director that if we didn't get them today we would send it back, so to be a person of our word I want to recommit Bill No. 2020.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 2021

A Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$3,698.40 and \$2,217.98, totalling in the aggregate \$5,916.38 in favor of Carnegie Library of Pittsburgh in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance and Technical Processing at Carnegie Library, Central Branch and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

**Bill No. 2022**

A Resolution entitled, "Resolution transferring \$50,000.00 from Rents, City Owned Property Trust Fund to Three Taxing Bodies, Special Trust Fund #2."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, on Bill No. 2022, what is the money going to be used for?

**Mr. Stone:**

It is going into the Three Taxing Bodies official Trust Fund.

**Michelle Madoff:**

That is what it is coming out of isn't it?

**Mr. Stone:**

No, it is going to — right in the middle of Section 1.

**Michelle Madoff:**

Yes, I know, I'm sorry, excuse me — have \$65,000, or we did have in the trust fund, why are we moving out of — is this money that we have taken in from the Three Bodies and that is why we are putting it in there? I'm a little confused on that because you know I have these very strong feelings that that money should be used to do a better job of marketing us some properties.

**Mr. Stone:**

Yes, there are eleven employees there and their salaries plus fringe benefits are drawn from the special trust fund account. We get reimbursed for it though, since we are the trustee, we are managing it.

**Michelle Madoff:**

When do we get reimbursed, how do we get reimbursed?

**Mr. Stone:**

As the property is sold we get reimbursed.

**Michelle Madoff:**

So it is just money we are putting out for the Three Taxing Bodies, I'm not sure that really happens though, I mean maybe we are supposed to get it back, but I question whether we do.

**Mr. Stone:**

It better happen because there are employees not getting paid anywhere but from that fund.

**Michelle Madoff:**

So that fund has to reimburse our General Fund then? Have you ever seen the money come back?

**Mr. Stone:**

Well, when the property is sold, funds go into that special trust fund.

**Michelle Madoff:**

And we get an extra cut of the action because we put out the money up front?

**Mr. Stone:**

We get our expenses first, then you divide up the rest three ways.

**Michelle Madoff:**

Could I have that verified? Do you know this to be fact?

**Mr. Stone:**

That is the way it works.

**Michelle Madoff:**

You know, the reason I am concerned is that we have \$65,000 in that trust fund which could be used to market those properties and get them off our backs so that we have some —

**Mr. Stone:**

Well that is what they are doing Michelle.

**Michelle Madoff:**

I know they are doing it, they finally came out with a book that is a piece of you know what.

**Mr. Stone:**

On this one you are paying the employees, see they are not paid from any other fund.

**Michelle Madoff:**

What are the employees doing, are they putting the book together?

**Mr. Stone:**

Well, they are managing those properties.

**Michelle Madoff:**

Yes, but see, I think this is very — this is one of the things when we get into budget — I want justification for these jobs. No more are they going to say, "Hey, are you filling this job?" I want their job description, I want to know what they are doing on that job. Do we need that person on the job, what is he doing, what is he producing on that job?

**Mr. Stone:**

We went through a three year study to get an equalization program that ended out unequal.

**Michelle Madoff:**

Not only that, the study was worthless, and I understand from a number of CETA people that favoritism is the way the game is played, you don't get promoted because you do a good job, its just who is the favorite. We really need some outside consultants coming into this City and really going through some of these departments.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

**Ayes 9    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2032

A Resolution entitled, "Resolution providing for the issuance of a warrant to Harriet M. Collins and Robert J. Collins, her husband, c/o Robert J. Lipsitz, Esquire, 1503 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, Pennsylvania 15219, in the amount of \$1,000.00 in full settlement of claim for personal injuries and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2033

A Resolution entitled, "Resolution providing for an Agreement or Agreements with community based organizations and/or non-profit organizations, to provide public service employment and public service employment and training services for CETA-EOPP participants and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE).

Which was read.

Also,

Bill No. 2062

A Resolution entitled, "Resolution transferring the sum of \$21,000.00 from Code Account No. 1420-2, Regular Salaries and Wages, Emergency Medical Services to Code Account No. 42-2, Council Contingent Fund also transferring the aggregate sum of \$41,000.00 from various Code Accounts to Code Account No. 1420-1, Premium Pay, Emergency Medical Services."

Which was read.

Also,

Bill No. 1903

A Resolution entitled, "Resolution transferring \$33,000.00 from Code Account 42-2, Contingent Fund to Code Account 1361, Miscellaneous Services, Department of Lands and Buildings."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Coyne presented**

No. 2152 Report of the Committee on Public Works for November 19, 1980 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2043

A Resolution entitled, "Resolution further amending Resolution No. 473, approved June 3, 1977, effective June 8, 1977, as amended by Resolution No. 189, approved March 1, 1979, as amended by Resolution No. 515, approved June 4, 1979, as amended by Resolution No. 1100, approved October 24, 1980, entitled, 'Providing for the letting of a contract or contracts for the construction or installation of sidewalks at various locations and providing for the payment of the cost thereof by reducing the allocation by Two Thousand Eight Hundred Ninety Two Dollars and Ninety Cents (\$2,892.90)."

Which was read.

**Michelle Madoff:**

Mr. Stone, you seem to be the authority today, on this bill, wouldn't this apply to Anna Hawk's problem this morning about the streets being paved? They would fall under that bill —

**Mr. Stone:**

No, no, that's —

**Michelle Madoff:**

Or are these already pre-determined places?

**Mr. Stone:**

That is a sidewalk deal.

**Michelle Madoff:**

Yes, that is what she was talking about, sidewalks, that was one of her bitches.

**Mr. Stone:**

One of her what?

**Michelle Madoff:**

That was one of her complaints, that they didn't have sidewalks.

**Mr. Stone:**

I'm not used to that kind of wording you know.

**Michelle Madoff:**

Female dogs. Yes, that is what they were complaining about and I said that when they came in for their hearing they ought to talk about sidewalks and that we had some money for sidewalks.

**Mr. Stone:**

There is money in the general sidewalk fund.

Also,

Bill No. 2044

A Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete repairs to City Steps, various locations; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2153 Report of the Committee on Planning, Housing and Development for November 19, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1716

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 9 by changing from 'C1' Neighborhood Retail District to 'AP' Planned Commercial-Residential Unit Development District all that certain property bounded by: BROOKLINE BOULEVARD; the 'S' Special District boundary line located east of BREINING STREET; CLIPPERT WAY; and BREINING STREET, 19th Ward."

Which was read.

Also,

Bill No. 1717

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to National Church Residence of Brookline, Inc., for authority to construct a basement and nine-story building to contain housing for the

elderly with 77 dwelling units and retail space on the lower level and with parking for 30 automobiles on certain property located on the southeast corner of BROOKLINE BOULEVARD and BREINING STREET, 19th Ward." (AS AMENDED IN COMMITTEE).

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 1991

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Health and Welfare Planning Association for professional services in connection with organizing and administering a Technical Assistance Center and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE).

Which was read.

Michelle Madoff:

On Bill No. 1991, didn't we agree to hold that?

**Mr. Robinson:**

1991 one second please.

**Michelle Madoff:**

Wasn't that Mr. O'Malley, because we didn't know what the salary was going to be, it turned out somebody said twenty eight, someone said twenty three, it turned out its \$26,000, we didn't know what was going to happen with the duplication.

**Mr. Robinson:**

If you will notice in Section 2 which we added, "the Director of the Department of City Planning shall furnish the City Council a copy of the Agreement or Agreements prior to the..."

**Michelle Madoff:**

Wait a minute Bill, you're ahead of me, where are you, I'm sorry, I'm looking at 1991.

**Mr. Stone:**

The part that is underlined on the bottom.

**Mr. Robinson:**

The part that is underlined, we added Section 2 when we amended the bill.

**Michelle Madoff:**

Well what good is that? I mean we are passing on the thing, the thing says we have a \$26,000 salary to the Administrator, we have duplication all over the place, don't we want to know what we are doing before we vote on the bill?

**Mr. Robinson:**

I think what this says to not only the Health and Welfare Planning Association, but also the Planning Department, the bills concerns that were raised by Councilman O'Malley, yourself and some others should

be addressed before any agreements are signed, I have every confidence —

**Michelle Madoff:**

I get very nervous — I have a feeling if we approve it we will never know, let's go ahead with it.

**Mr. Robinson:**

No, I have every confidence that Director Lurcott will act in a very responsible and diligent fashion to answer all of our concerns.

**Michelle Madoff:**

Well what about the duplication of services, he was supposed to supply me with a list, I asked him to get the URA and his own department, the duplication of those kind of services, so we put it all in one and have the adequate funding they are going to need. I'm scared to go with this bill.

**Mr. Stone:**

Yes, but once you get that agreement you will know what they are going to do, right now you don't. That paragraph is more valuable than the first bill.

**Michelle Madoff:**

Well I agree, but I am just — I don't think we will ever hear from them again.

**Mr. Robinson:**

Do you want to hold the bill?

**Michelle Madoff:**

Bill, I don't want to hold the bill up if we need to get moving on it because I think it is a service that Mr. Stone has pointed out for years, the years I've known him, that there are groups who are just not getting their fair share, the money goes to the same people who are sophisticated enough to know how to write the grants.

They do a good job of writing grants but I think we have duplication all through — the CAP, the URA people do this, through Manchester we have duplication in the City Planning, let's take all that money and let's put it into this one source, this is what I suggested earlier. I am just terrified of going with this bill the way it is.

**Mr. Flaherty:**

I just want to say Michelle, that if is my understanding that the people who proposed this bill are going to be coming back to Council in a half a year for another appropriation which I believe is going to be over threefold — the current one.

**Michelle Madoff:**

That's right. And they should have it too.

**Mr. Flaherty:**

Well, they should have it only if a lot of the ideas that you are bringing up are sound, okay? I was just going to suggest that after the program is in operation for a half a year, then that would give us the opportunity to study it and to address the points that you are bringing up now.

**Michelle Madoff:**

Well, I don't think you quite understand what my problem is, I have no quarrel, or even any qualms that they are going to do a superb job, I know the people and you know the people, and I also, in my environmental days, dealt with Health and Welfare when they did write proposals and it addresses the issue that Mr. Stone said — what about the groups who aren't in the system and they don't know about it and they need help in preparing proposals so they can get a piece of the pie. I have no quarrel with that, but we are doing it everywhere and we are doing it badly and I want to stop the others from doing it and making this one central source of doing it.

**Mr. Stone:**

Mr. Flaherty, do you have any special knowledge that it is going to be three times this later?

**Mr. Flaherty:**

I believe so, I can't recall the exact appropriation, it is going to be about \$180,000. I believe the entire program is about \$220,000, \$225,000, I am not sure exactly.

**Michelle Madoff:**

And the money is going to come from us out of the budget and if you don't have it to take from Peter to give to Paul —

**Mr. Stone:**

When you are getting into that kind of money it is bothering me.

**Michelle Madoff:**

Do you see what I'm getting at?

**Mr. Stone:**

Well, Mr. Robinson asked you a question, what do you want to do about it?

**Michelle Madoff:**

I don't know, I mean, do you understand my concern Mr. Robinson, you are dealing more closely with it than anybody.

**Mr. Robinson:**

Yes I do.

**Michelle Madoff:**

What I hear Mr. Flaherty saying is let's do it as a pilot and see how they go and I don't quarrel with that, I'm saying that we are going to be seeing — we are seeing, I mean, I don't like to be facetiously rude, but I fondly refer to Mr. Lurcott as "Bob Lufmench Lurcott", I mean he

should be in a University dreaming somewhere, in planning, because he doesn't really — he is really not a great planner and there is too much duplication of services right in his department, too many people doing the same damn thing .

**Mr. Stone:**

Well, Michelle if you have the concern that way, you know, I am hearing some things that I didn't hear before, then you ought to recommit.

**Michelle Madoff:**

You know that I asked Mr. Lurcott to provide me with the URA and the City planning, and he was going to handle the URA area to who is duplicating these services. There was a gentleman sitting from Manchester who runs the program and as I was saying it he was nodding his head up and down, there is duplication of services and I'm not sure they are going to want to release it. One of the worse problems is our CAP Program. They are desperately in need of people to write good proposals and help some of the groups and we are just funding more money for the same thing. The others are doing it poorly, I think this group will do it superbly. How do we — I don't know how to address the problem.

**Mr. Stone:**

If you need more information, recommit, that is what I am asking you to do if you are going to do it.

**Michelle Madoff:**

Mr. Robinson if I recommit would you get that information from Mr. Lurcott and from URA and from Manchester to see that we are not duplicating and that the dollars are funneled into this program — see I support this program, that is why I am hesitating to hold it up. I just want to see the other programs put out of business.

**Mr. Robinson:**

Well it was my understanding that Director Lurcott had gotten to you all the information that you had requested. I certainly can get back to him, in fact, perhaps the City Clerk should forward a letter to Director Lurcott requesting the information —

**Michelle Madoff:**

If I got it, you got it, did you get a copy?

**Mr. Robinson:**

No, I have not received it.

**Michelle Madoff:**

Well if I got it, then you got it, so obviously we didn't get it.

**Mr. Robinson:**

No, it was my understanding that you had made a personal request of him, I didn't know you were making a request —

**Michelle Madoff:**

Any personal request must come through the City Clerk, I made it through the City Clerk and I assumed that everybody would get a copy.

**Mr. Robinson:**

Well, I never got a copy of the letter from the City Clerk to that effect.

**Michelle Madoff:**

Well, I must tell you that I've got 90 pieces of paper on my desk but I don't think — well, we'll recommit it for a week. Move to recommit.

**Mr. Robinson:**

Is that your motion?

**Michelle Madoff:**

Yes.

**Mr. Robinson:**

I second the motion.

**The Chair:**

Is there a question on the recommitment?

**Michelle Madoff:**

Mr. Flaherty has a concern.

**Mr. Flaherty:**

I'm opposed to recommitment.

**Mr. Stone:**

Vote against.

**The Chair:**

Is there any further discussion on the recommitment?

And on the question, "Shall the bill be recommitment?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes 1

(Mr. Flaherty voting No)

And a majority of the votes of Council being in the affirmative, the bill was recommitment.

**Mr. Robinson:**

If it is appropriate Mr. President, in

reference to Bill No. 1991, which we recommitment, I would like to have my comments included from the meetings of November 12 and November 19th.

**MR. ROBINSON'S COMMENTS  
ON BILL NO. 1991  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 12, 1980:**

**Mr. Robinson:**

Mr. Chairman, if I might, each member of Council did receive a two-page summary of the original proposal and what it was intended to do. I have a couple of questions — one is what if any arrangements are being made to create a board of directors and what procedures follow from that and two, I would like more detailed information as to actually what impact this particular center is going to have on the utilization of the Community Development Block Grant Program. Some question has been raised as to the election of some sort of a board of directors on a district basis. My concern in that regard is that there are certain obligations that are conferred upon this Council by the state constitution that we are unable to give over to any other body and I think with structuring any kind of organization that we will be electing individuals, we need to get some legal clarification as to what their rights and responsibilities are pursuant to our legal obligation to be the only body in the City of Pittsburgh to act on expenditures of monies under our control.

I think we need answers to these two questions before we move forward.

**MR. ROBINSON'S REMARKS  
ON BILL NO. 1991  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 19, 1980:**

**Mr. Robinson:**

Mr. Chairman, each member of Council should have received from Mr. Lurcott on November 18th, a copy of additional information relative to the Technical Assistance

Center. All of us received a binder. Around November 18th, also, this was forwarded to each member of Council by myself and on page ten of the Technical Assistance Proposal, you will find information that answers the questions that were raised relative to this center.

This additional information relative to the operation of the center was forwarded to all of us. I also hope that every Councilmember will take the time and look at it and with that Mr. Chairman, I have no further comments and I move for approval.

End of Mr. Robinson's remarks on Bill No. 1991.

Also,

Bill No. 2029

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and KFC National Management Company for the sale of Parcel 7A in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 34."

Which was read.

Also,

Bill No. 2030

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 7th Ward of the City of Pittsburgh owned by the School District of Pittsburgh and designated as Lot No. 3 in the Revised East End Middle School Plan of Subdivision. Recorded in Plan Book Volume 105, Pages 194-196, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2064

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with the Hunger Action Coalition, Inc., for services in connection with the 1980 City-wide food drive for needy people, to be conducted in conjunction with the City of Pittsburgh, and transferring the sum of \$1,000.00 from Code Account 42, Council's Contingent Fund to Code Account No. 1103, Miscellaneous Services, Department of City Planning."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

**Ayes 9    Noes none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Givens presented**

No. 2154 Report of the Committee on Supplies for November 19, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2055

A Resolution entitled, "Resolution amending Resolution No. 472 of 1980, approved May 19, 1980, entitled, 'Providing for the letting of a contract or contracts for the

furnishing and delivery of various tools (wrenches, screwdrivers, etc.) for the Department of Water, and for the payment thereof,' by increasing the amount from \$10,213.76 to \$10,505.20."

Which was read.

Also,

Bill No. 2056

A Resolution entitled, "Resolution amending Resolution No. 988, approved September 29, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of an abraser machine for the Bureau of Tests, Department of Supplies and for the payment thereof,' by decreasing the amount from \$2,500.00 to \$2,400.00."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 2155 Report of the Committee on Lands and Buildings for November 19, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2023

A Resolution entitled, "Resolution granting a License to Duquesne Light Company for the installation of one (1) pole and one (1) anchor, together with guy wires, upon, over and across City property fronting on Arlington Avenue, 16th Ward."

Which was read.

Also,

Bill No. 2024

Resolution repealing Resolution No. 867, approved 8/25/80, for the sale of lot on Lawn Street, 4th Ward designated as Block 28-N, Lot 123, to Gerald L. and Marilyn Goldman, for the sum of \$350.00. Resolution is to repeal sale and return hand money to purchasers.

Which was read.

Also,

Bill No. 2025

Resolution amending Resolution No. 1005, Item (D) approved 10/16/80, for the sale of land on Parkwood Road in the 16th Ward, designated as Block 32-B, Lot 5 to Lemuel T. and Maureen F. Cross, for the sum of \$600.00. Amendment is to correct spelling of former owner's name.

Which was read.

Also,

Bill No. 2026

Resolution amending Item (I) of Resolution No. 1005, approved 10/16/80 for the sale of lot in the 25th Ward on Jefferson Street designated as Block 23-E, Lot 142 to Matthew D. and Barbara Millender, for the

sum of \$250.00. Amendment is to add name of former owner.

Which was read.

Also,

Bill No. 2027

Resolution amending Item (A) of Resolution No. 1111, approved 10/28/80, for the sale of lot on Breerton Street designated as Block 25-P, Lot 85, to Mt. Horran Baptist Church for the sum of \$350.00. Amendment is to correct Ward No. from 22 to Ward 2.

Which was read.

Also,

Bill No. 2028

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Mr. Givens</b>	<b>Mr. Stone</b>
<b>Michelle Madoff</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, I need one question answered. Poor Mike, I have given Mr. Perry about five post agenda items, one I believe is water abatements and we have one on the water increases, I want to meet with the people from West Penn Water before the budget. I raised it two years in budget and it was too late, I raised it before the budget Mr. Stone and it was too early, that is why I asked when that went through with —

**Mr. Stone:**

Michelle, I want to correct you on something. If you look at last year's budget, we provided a time to meet with West Penn.

**Michelle Madoff:**

Yes, you gave them time, remember they had trouble getting the President here in time?

**Mr. Stone:**

Yes, but there was time set for it.

**Michelle Madoff:**

Well, let me tell you what is happening now. They are going to buy our water and four other municipalities are going to buy it. The negotiations are going on privately in the Mayor's Office. I am only head of the Water Committee, I am just sort of — when I plead and say to Mr. Cosentino, "I want to know what is happening"—"Well, sometime next year"— we need that revenue, we are underwriting at \$2 million this year and the PUC increase — we have to underwrite that increase and the costs of chemicals have gone up astronomically, we can't even get a contract, we are buying it by the month, I don't have to tell you and I want that resolved at some point because I'll tell you what I'm going to do. Under the Safe Drinking Water Act Im going to



have the water tested every single week because they don't regenerate enough, they need to buy our water and I would like to know that we have that money coming in during budget time.

Now, the biggest one is — is everybody aware of what happened yesterday, about the meeting at the Wendover? The television carried it? The citizens at the Wendover had a meeting because their lobby has been burned out five times. They have an arsonist loose. The landlord is really trying to do something. I had called him and in two weeks he put in smoke alarms and that is why I introduced the Smoke Alarm Bill, not His Eminence the Mayor, then they came up with two other ones. Now, we've got to have that hearing because even though we are in budget and we are busy, these people have no way of getting out of the building because the architecture or whatever is grandfather. There are long corridors with windows shut, bolted tight, they cannot get out and maybe we are going to have to open up that code and say, "you've got to have a fire escape in some spots where people can get out" and I requested that we have that hearing as soon as possible. There were a hundred people there yesterday.

**The Chair:**

Mr. Perry would you take care of that.

**Mr. Givens:**

I would like to invite that man from up in the midsection of the country, Willard's Water or something like that, the one on Sixty Minutes last night — very good stuff.

**Michelle Madoff:**

I missed it.

**Mr. Givens:**

Oh, you missed that? That is perpetual life.

Mr. President, I have two items that I would like to bring up, one, I would like a report from the Chief Clerk to the Water Department. There are considerable water leaks on Bigelow Boulevard at the intersection where the crosstown traffic and the traffic from the City meet, going eastbound Mike, it is on the right hand side. There is a lot of water coming over the hill there and I suspect it would be City water, if they could please inspect that and find out if it is a leak up there.

**Michelle Madoff:**

I'd bet you ten to one it is run-off.

**Mr. Givens:**

It's not run-off.

**Mr. Stone:**

Mr. Givens, that is the tears of all those motorists who are going to be traumatically affected by that piece of property —

**Mr. Givens:**

That could be, in the meantime, the City of Pittsburgh is losing a lot of money, there is a tremendous water leak I suspect, Mike and please, if the City Water Department could check that one out.

Secondly, on Second Avenue at the Tenth Street Bridge, you know, they completed construction out there and there is one hell of a hole on Second Avenue as you make the right hand turn going over the Tenth Street Bridge. I don't know what in the heck they are doing with it, I believe that is all City of Pittsburgh property. Please, a report from the Department of Public Works as to what they are doing about that thing.

**Michelle Madoff:**

I think it is State.

**Mr. Given:**

It's such a bump and a cavern in there that a truck could possibly lose control very easily if they were not knowledgeable of that particular problem and the City of Pittsburgh would then be sued.

**The Chair:**

Why didn't you call Public Works, they would have taken care of it, did you make a call down to Public Works.

**Mr. Given:**

No I haven't, it's been on my mind, it keeps on slipping my mind, that's why I'd like the Chief Clerk to do it so it would be off my mind.

**Michelle Madoff:**

One thing, is Mr. Stone still here? Mr. Stone, budget matter — I had requested from Mr. Cosentino that he provide me with the claims now on the water, water breaks, "act of God, long term waterlines" and I think the figure now is at something like a half of a million dollars on recent claims. Don't you think it is a lot cheaper to have preventive medicine that maybe we ought to get some engineers and start putting that in?

I have been requesting the claims on water and we are now approaching probably a half a million dollars on the last ones that I have seen, remember there was a \$200,000 one, the West End/Elliott? That does not include a check, does not include our costs to repair, these are only the claims and it gets back to what you have been talking about, that money is in the Capital Budget, let's start doing it, let's not delay and what I hear from my sources in the Water Department is that we need more engineers but what I hear from Ben Hayllar is he plugs in his terminal and he says, "We're on schedule", what does that mean? We've got to really start expediting.

**Mr. Stone:**

It's easy to work with Ben Hayllar's schedule because he changes the schedule every week. That is one of the problems I — since you brought that subject up that is one of the problems I am having with the Capital Budget with our computer people. It was our understanding initially when you put a project into the mill, there would be frozen in there what we call a critical path or a performance level schedule. What has happened without us knowing it and that is why I am upset, Ben Hayllar who puts the reports in there can change those figures, nobody knows they have been changed. In short I want the original schedule there locked in with an asterisk that can't change unless Council changes it and then we know what changes they have made to the schedule. What good is an audit that doesn't have an audit capability and that is where the problem is.

**Michelle Madoff:**

It's called garbage-in, garbage-out. That is the term they use in the trade, it is what you feed the computer. If you feed it garbage you are going to get garbage.

**Mr. Stone:**

Well, we are getting to that and we will be having a meeting of all three sources again, I am at a loss to understand how we can spend close to a million dollars for a computer and end out having to take longer with the computer, even though you put it in that day you don't get it out that day, it takes longer with the computer than it did by hand.

**Michelle Madoff:**

Don't go any further, this is very important. I went in to see Mr. Hayllar because I was informed that we needed more engineers, Engineer I's, not Engineer III's, because we were behind and we were not getting our programs done. Mr. Hayllar showed me his computer, his terminal and

---

he showed me all the projects and how far along and that they were indeed on schedule. You are telling me he's been diddling with those things and taking them out?

**Mr. Stone:**

He's changing that schedule without anybody knowing it and when I got ahold of Coopers and Lybrand --

**Michelle Madoff:**

I'm going to cut his knees off.

**Mr. Stone:**

And when I got ahold of Coopers and

Lybrand I told them if that changes that will be the last time they service this City, so we are now in "Catch-22" for a moment.

**Michelle Madoff:**

Aren't we always?

**Mr. Stone** moved to approved the minutes of Monday, November 10, 1980.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

1. The first of these is the fact that the  
the government has been unable to  
the people of the country.

2. The second is the fact that the

the government has been unable to  
the people of the country.

3. The third is the fact that the

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the people of the country.

4. The fourth is the fact that the

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, December 1, 1980

No. 46

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAY . . . . . Ass't. City Clerk

Pittsburgh, Pa.

Monday, December 1, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 2156 Resolution providing for the

issuance of a warrant in favor of Beckwith Machinery Company in the amount of \$25,486.97 in payment for repairs to Heavy Equipment vehicles, Department of Public Works and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Mr. Flaherty presented

No. 2157 Resolution amending Resolution 1213, effective November 21, 1980, entitled, "Providing for a contract/s in connection with Public Property Sidewalks and providing for the payment thereof", by providing for the use of existing contracts.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Coyne seconded the motion.

Which motion prevailed.

Also,

No. 2158 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole together with necessary appurtenances on City property fronting on Windom Street, 17th Ward, designated as Block and Lot 3-K-194, 3-K-

195, 3-K-234 and 3-L-400 due to a landslide along Windom Street.

Which was read and referred to the Committee on Finance.

**Michelle Madoff presented**

No. 2159 Resolution providing for the issuance of a warrant in favor of Frank Bryan, Inc., 1263 Chartiers Avenue, McKees Rocks, PA 15136, in the amount of \$294.00, chargeable to and payable from Code Account No. 1714, Materials, Department of Water. For payment of six yards of ready mix concrete.

Which was read and referred to the Committee on Finance.

Also,

No. 2160 Resolution amending Resolution No. 963, approved 9/25/80, entitled, "Providing for a contract or contracts for the furnishing and delivery of water meters of various sizes less trade-ins, chargeable to and payable from the 1980 Capital Budget, WD-80-10, Water Meters (4-05-25-0004-80).

Also,

No. 2161 Resolution providing for a contract or contracts for the relay of undersized water lines service fire hydrants on various streets at a cost not to exceed \$450,000.00 chargeable to C.B.C.A. WD-77-4, 78-2, 79-5, WD-80-166.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2162 Resolution transferring to Parks and Recreation Code Account 1800-1, Premium Pay, the aggregate sum of \$17,000 from the listed code accounts.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.**

**Mr. Coyne seconded the motion.**

Which motion prevailed.

Also,

No. 2163 Resolution transferring to the Department of Parks and Recreation's Code Account 1803, Utilities, the amount of \$70,000.00 from Council's Contingent Fund, Code Account 42-2.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley presented**

No. 2164 Resolution transferring the sum of \$260,000 from Code Account No. 42-2, Contingent Fund, to Code Account No. 1443-4, Premium Pay, Department of Police.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.**

**Mr. Coyne seconded the motion.**

Which motion prevailed.

Also,

No. 2165 Resolution providing for the issuance of a warrant in favor of the International Business Machines, Corporation, in the amount of \$1,218, for rental of equipment for October, November and December 1980, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Also,

No. 2166 Resolution providing for the issuance of a warrant in favor of Beattie-Colenma, in the amount of \$403.75, for repairs to camera equipment, chargeable to and payable from Code Account No. 1451, Repairs, Department of Police; and providing for the payment thereof.

Also,

No. 2167 Resolution transferring the sum of \$100,000.00 from Code Account No. 1461, Salaries and Wages, Temporary and Regular Employees and \$50,000 from Code Account No. 1461-3, Longevity to Code Account No. 1461-1, Premium Pay within the Department of Fire.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2168 Resolution providing for an Agreement or Agreements with the Stephen Foster Center for the renovation of their existing facility located at 286 Main Street, City of Pittsburgh. Cost not to exceed \$180,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2169 Resolution providing for an Agreement/s with instructors for professional services in connection with the training of police recruits; and providing for the payment of the cost thereof. Cost not to exceed \$5,120.00.

Which was read and referred to the Committee on Public Safety.

Mr. Robinson presented

No. 2170 An Ordinance amending the Pittsburgh Code Title One, Administrative, Article VII, Procedures, Chapter 161, Con-

tracts, Section 161.12 and 161.14 which provide for surety bonds on City Contracts to permit security in the form of certificate checks in lieu of bonds on certain types of contracts.

Also,

No. 2171 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, by adding Sections 161.18 through 161.19 providing for minority participation in major developments; and repealing Ordinance No. 266 of 1979.

Also,

No. 2172 An Ordinance amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Sections 161.03 and 161.07, by increasing the amount making a sealed bid procedure unnecessary and conforming the requirement for separate specifications to state law.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Robinson moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Stone seconded the motion.

Which motion prevailed.

Also,

No. 2173 An Ordinance amending Ordinance No. 27, enacted October 10, 1978, by extending the date from October 18, 1980 to October 18, 1981, in which time the approved Subdivision Site Plan is to be recorded in the County Deed Recorder's Office.

Which was read and referred to the Com-

mittee on Planning, Housing and Development.

**Mr. Stone presented**

No. 2174 Resolution amending Resolution No. 390, approved May 4, 1980, as amended by Resolution No. 771, approved August 4, 1980, providing for an Agreement with the St. Clair Athletic Association for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh, by increasing the amount to \$115,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 2175 Resolution providing for the issuance of a warrant to Gertrude Johnson, c/o Kenneth P. Christman, Esquire, 524 Grant Building, Pittsburgh, PA 15219, in the amount of \$1,587.56 in full settlement of claim for property damage resulting from an accident on October 2, 1979 at Fifth and Shady Avenues, Pittsburgh, PA.

Also,

No. 2176 Resolution transferring the aggregate sum of \$184,700 from Code Account No. 42-2, Contingent Fund to various Salary and Wage Code Accounts in the amounts indicated.

Also,

No. 2177 Resolution further amending Resolution No. 160 approved March 14,

1980, entitled, "Authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00 from Code Account No. 1099-2 to CETA-T.2 Trust Fund and CETA T.6 Trust Fund to pay for wages and fringe benefits paid to CETA participants over the authorized federal salary of \$10,000.00 per annum" by reducing the amount to \$239,900.00 and by transferring \$100,100.00 from Code Account No. 1099-2 to Code Account No. 42-2.

Also,

No. 2178 Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for the implementation of Employment Opportunities Pilot Program at a cost not to exceed \$200,000.00, payable from C-EOPP Trust Fund.

Also,

No. 2179 Resolution providing for an Agreement or Agreements with Urban Revitalization-Pittsburgh, Inc., for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof, cost not to exceed \$592,000.00.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

No. 2180 Report of the Committee on Finance for November 26, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2020

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dales Service, in the amount of \$1,800.00;



Westinghouse Electric in the amount of \$7,540.28; and General Electric in the amount of \$7,930.00 totalling in the aggregate \$17,270.28 in payment for emergency repairs and service furnished for the benefit of the City in connection with the HVAC systems at various locations and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2045

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of M. DePasquale, Inc., in the amount of Seventy-one Thousand Seven Hundred Forty-four Dollars and Seventy-nine (\$71,744.79) Cents in payment for 'Extra Additional Work' in connection with the Gallupe Drive Sewer Reconstruction Project, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mrs. Masloff
Mr. Flaherty	Mr. O'Malley
Michelle Madoff	Mr. Robinson
	Mr. Stone

Ayes 7      Noes none

Mr. DePasquale abstaining.

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2051

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Celli-Flynn Associates in the amount of \$3,992.15 for extra services preformed for the benefit of the City in connection with the design and reconstruction of Sheraden Library and Community Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2052

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Elevator in the amount of \$1,544.00 in payment for extra work performed in connection with the Modernization of Elevator "H", City-County Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2053

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of All-State Industries in the amount of \$2,993.00 in payment for extra work performed for the benefit of the City in connection with rehabilitation of Fire Station No. 16, Penn and Lang Avenues and Fire Station No. 20, Baldwin Street, Hays; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2054

A Resolution entitled, "Resolution amending Resolution No. 1108, approved December 10, 1979, and effective December 14, 1979, entitled, 'Authorizing reduction in retained percentage of payments made to Contractors from ten (10%) percent to five (5%) percent in connection with Carnegie Library of Pittsburgh, Wylie Avenue (Hill Branch)

Project', by reducing retainage from five (5%) percent to one (1%) percent."

Which was read.

Also,

Bill No. 2057

A Resolution entitled, "Resolution transferring \$6,000.00 from Code Account No. Miscellaneous Services and Code Account 1703, Utilities to Code Account No. 1701, No. 1704, Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2063

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219 in the amount of \$651.30, in payment for transcription done by a stenographic reporter of Trial Boards, without previous

authority of law; and providing for the payment thereof.'

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2065

A Resolution entitled, "Resolution authorizing the transfer of Three Hundred Eight Thousand and Sixty-four Dollars (\$308,064.00) from the 1980 Community Development Block Grant Program Trust Fund, Unspecified Local Option (CC-80-01) Project Number 4-40-05-0001-80-900-80-40, to the 1981 General Fund of the City of Pittsburgh for Reimbursement of Indirect Costs, Community Development."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2074

A Resolution entitled, "Resolution providing for the issuance of warrants to Kalotina Kourkoutis, Administratrix of the Estate of Kostas Kourkoutis, deceased, in the amount of \$2,500.00 in full settlement of claim for wrongful death and providing for the payment thereof."

Which was read.

Also,

Bill No. 2075

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bankers Lithographing Company for the emergency printing of warrants without previous authority of law. Interim approval granted as per Council Bill No. 2007, dated November 12, 1980."

Which was read.

Also,

Bill No. 2076

A Resolution entitled, "Resolution providing for the issuance of a \$12,077.22 warrant in favor of Patricia E. Weber, c/o William P. Bresnahan, Esquire, in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2078

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Gates, McDonald and Company for professional services in connection with the administration of the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law."

Which was read.

Also,

Bill No. 2104

A Resolution entitled, "Resolution transferring the sum of \$105,100.00 from various code accounts to various code accounts all within the Department of Supplies." (AS AMENDED IN COMMITTEE).

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2108

A Resolution entitled, "Resolution transferring \$50,000.00 from Code Account No. 1792, Contingency Funds, Unexpended Salaries to Code Account No. 1700-1, Premium Pay."

Which was read.

**Mr. Stone:**

Mr. President, on Bill No. 2108, I move to change that from \$50,000 from Code Account 1792, Contingent Fund, and inserting in its stead, \$20,000 from Code Account 1714, Materials, and only \$30,000 from Code Account 1792, Contingent Fund, that is in Section 1 of the bill.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2109

A Resolution entitled, "Resolution providing for the transfer of funds to Parks and Recreation's Code Account 1831, Wages, Regular Employees, Bureau of Recreational Activities in the amount of \$28,000.00 from Council's Contingent Fund, Code Account 42-2".

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2121

A Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$506,500 from the following code accounts in the following amounts, covering unspent monies from various salary accounts from October 6, 1980 through November 2, 1980."

Which was read.

Mr. Stone:

On Bill No. 2121, I move to delete from this bill \$178,500 from Code Account 1443, \$11,000 from Code Account 1443-1 and \$18,000 from Code Account 1444 and under Public Works changing Code Account 1608 from \$175,000 to \$160,000 and reducing the total transfer to \$284,000.

Mr. Robinson seconded the motion.

Which motion prevailed.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Coyne presented

No. 2181    Report of the Committee on

Public Works for November 26, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2046

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of storm and sanitary sewers on Thompson Run (Cooley Way), Phase II from Mohrbach Street to 200'± W. of Margaret Street including work on the private property and other work incidental thereto; and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 2047

A Resolution entitled, "Resolution further amending Resolution No. 1155, effective December 2, 1977, as amended by Resolution No. 99, approved February 22, 1980, effective February 28, 1980, entitled, 'Providing for a contract or contracts for professional services connected with the design for replacement of the Pennsylvania Avenue Bridge and approaches; and providing for the payment of costs thereof' by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from One Hundred Forty Thousand One Hundred Sixty Seven (\$140,167.0) Dollars to One Hundred Fifty Six Thousand Two Hundred (\$156,200.00) Dollars."

Which was read.

Also,

Bill No. 2048

A Resolution entitled, "Resolution granting unto 606 Liberty Building (Meyer Jonasson Building) Pittsburgh, Pennsylvania 15222, its successors or assigns, the privilege and license to construct, maintain and use, at its

own cost and expense a marquee, to be erected over the entrance to its building, 606 Liberty Building (Meyer Jonasson Building) Pittsburgh, Pennsylvania to project over the Westerly sidewalk area, a distance of 8 feet 3 inches; face of marquee to have a set back from face of existing curb 12 feet and have a width of 16 feet 6 inches with a minimum height of 10 feet 7 inches above existing sidewalk."

Which was read.

Also,

Bill No. 2095

A Resolution entitled, "Resolution further amending Resolution No. 80, approved February 22, 1980, as amended by Resolution No. 1062, approved October 20, 1980, effective October 23, 1980, entitled, 'Providing for a Contract or Contracts or the utilization of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including the asphalt milling, planing, regrading, recurbing and other work incidental thereto, PW 80-02, 4-01-01-0001-80, and providing for the payment of the costs thereof, by reallocating the funding sources."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2182 Report of the Committee on Planning, Housing and Development for November 26, 1980, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1991

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Health and Welfare Planning Association for professional services in connection with organizing and administering a Technical Assistance Center and providing for the payment of the cost thereof."

Which was read.

Michelle Madoff:

On Bill No. 1991, I would like to have my comments brought forward from previous meetings and I would like to add that I believe this is the most outstanding group to do what we have needed for a long time. My concern is very simply that in the 1981 budget we have a great deal of duplication of people who were supposed to be doing the job of involving groups who were not plugged into the system where they need help in preparing proposals and they are not being able to avail themselves of that, yet we have groups in Manchester, we have groups in URA, I have asked Bob "Lufmench" Lurcott to please provide me with this information and I still haven't seen this information — he is to give me a list of duplications, where there are groups doing this same kind of planning. I am very concerned that come 1981 — I know that this body will prove itself to be a very valuable asset to the City, but I don't want to see them go unfunded next year and I want to be sure that we get that

information so that money will be available. My purpose in delaying it a week was in no way that I was not 1,000% for them, it was a matter of being sure they had the means to do the job.

**MICHELLE MADOFF'S REMARKS  
ON BILL NO. 1991  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 12, 1980:**

Michelle Madoff:

Mr. Chairman, I am a little bit familiar with the operation of Health and Welfare. My understanding is that they are going to go back to doing what they did several years ago, as a matter of fact, they helped GASP in 1970. We wanted to apply to the United Fund for money and you had to be a member for two years and they would help you write proposals and that gets to the point that you raised repeatedly Mr. Stone — how many times have you said to Melanie Smith and the other Directors, "how come there are groups that don't get in on the goodies, because they don't know how or have the expertise to write a proposal?" So, I think it is a very necessary and worthwhile project.

I have the same concerns that Bill Robinson has, if we are duplicating those dollars — and I think we are in fact. One was Community Development Fund and other areas and nobody knows that we are doing it. I don't want to see it duplicated and duplicated and duplicated. If indeed your concern is a valid one, and it is and I think it is — if you want to take a hard look at it and say, "hey, this is the best way to go" because I believe Mr. Cunningham is involved in this, am I correct? There are a lot of solid citizens you know in this community that are willing to volunteer their time to work on this and I don't know if it is voluntary, there may be payment involved, is that correct? It's voluntary, there will be a salary, a large salary for an administrator, but if that is the way we want to go and if that will address your concern as you expressed it, so be it, but I want to be sure that you don't put those funds out

again and put them out again and again and again like you did other sources. I would like to hold this for a week while we look at it, does anybody have any objections to that?

End of Michelle Madoff's remarks from Wednesday, November 12, 1980.

**MICHELLE MADOFF'S REMARKS  
ON BILL NO. 1991  
FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 19, 1980:**

**Michelle Madoff:**

I have a question. I just want to know how the selection process is done. Perhaps in this case there will be a nomination. Do you or do you not have a list of the City of Pittsburgh programs and other programs with the definition indicating how they operate? Under Mr. Lurcott, there is one in Manchester that services the neighborhood. I don't think the proposal is just your concern, again, your concern is the same as mine. Some time ago, I was wondering if the City will be able to service the different community organizations and people that really need the help.

I am just wondering if a center like this can be put into next year's budget. I just wonder if this will be funded well enough that it will be able to maintain and keep up with the assistance to these community people.

How can you get that information Mr. Lurcott? Can you get that for me or do I have to ask for it? I just want that information from Mr. Lurcott on Manchester, this center and on URA as well.

End of Michelle Madoff's remarks from the meeting of Wednesday, November 19, 1980.

Also,

Bill No. 1810

An Ordinance entitled, "An Ordinance

amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 13 by changing from 'R3' Multiple-Family Residence District and 'C3' Commercial District to 'RP' Planned Residential Unit Development District all that certain property bounded by: GLEN CALADH STREET; Block 56-F, Lot No. 140 and Block 56-K, Lot No. 274 in the Allegheny County Block and Lot System; TECUMSEH STREET AND SECOND AVENUE, 15th Ward."

Which was read.

Also,

Bill No. 1811

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to National Development Corporation for authority to construct a six-story building for Housing for the Elderly, containing 96 dwelling units and parking for 20 cars on property located on the easterly side of SECOND AVENUE between GLEN CALADH STREET and TECUMSEH STREET, 15th Ward."

Which was read.

Also,

Bill No. 2066

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 19th Ward of the City of Pittsburgh owned by Walter and Evelyn Coury and Tonino and Victoria Primiero and designated as Block 96-B, Lot 262 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2067

A Resolution entitled, "Resolution approv-



ing a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and National Church Residences of Brookline, Pennsylvania for the sale of Block 96B, Lot 262 in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2068

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gilda Lee for the sale of Parcel 48 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 2069

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Dorcas Turner for the sale of Parcel 47 in the Fifth Ward of the City of Pittsburgh in Redevelopment Area No. 32."

Which was read.

Also,

Bill No. 2070

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Paul E. Layer for the sale of Parcels 19 and 20 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2071

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James J. Robinson, Jr. and Deborah E. Robinson for the sale of Parcel 171 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Michelle Madoff for Mr. Glvens presented

No. 2183 Report of the Committee on Supplies for November 26, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2105

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of light-

weight composite cylinders for the Fire Department and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Michelle Madoff presented

No. 2184 Report of the Committee on Water for November 26, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2058

A Resolution entitled, "Resolution providing for a contract or contracts for water line work in conjunction with the Department of Public Works, involved with the widening and improvement of the intersections on the North Side at Reedsdale Street and Ridge Avenue, Chateau Street and Ridge Avenue, Fulton and Western Avenue and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2059

A Resolution entitled, "Resolution providing for a contract or contracts for Cover Protection for the 30" and 36" Water Lines in Josephine Street and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2060

A Resolution entitled, "Resolution amending Resolution No. 1229, approved December 29, 1979, as amended by Resolution No. 694, approved July 7, 1980, as amended by Resolution No. 990, approved October 9, 1980, by providing for additional appropriations of \$42,155.00 for Project WD-80-07, 4-05-25-001-80, Purchase and Installation of Valves by Contract at Various Locations: \$75,000.00 for Project WD-80-01, 4-05-12-1028-80, 30"-36" Josephine Street Replace Cover; creating a new Capital Project WD-80-16, 4-05-15-0002-80, Replacement of Undersized or Deficient Lines Serving Fire Hydrants and transferring funds within the Capital Budget, Department of Water."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

**Mr. Robinson** presented

No. 2185 WHEREAS, the National Council of Negro Women, Incorporated has made significant and worthwhile contribution to the causes of human rights and brotherhood of all people; and

WHEREAS, their programs for youth, the elderly, hospitalized and the community in general; and

WHEREAS, the Pittsburgh Section in conjunction with the National Council will be celebrating and honoring Ms. Mary McLeod Bethune, as the founder of the National Council of Negro Women, Incorporated, and also Mrs. Daisy Lampkin of the City of Pittsburgh for their tremendous contributions over the years,

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh recognizes the National Council of Negro Women, Incorporated on the occasion of their Founders Day, December 5, 1980 and the achievements of Ms. Mary McLeod Bethune and Mrs. Daisy Lampkin and wish the Pittsburgh Section continued growth and success in the years ahead.

Which was read.

**Mr. Robinson** moved for adoption.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**The Chair:**

Is Mrs. Bethune or Mrs. Lampkin here Bill?

**Mr. Robinson:**

Mr. President, Mrs. Bethune is long deceased, many might remember her in her capacity as one of the individuals for whom Bethune Cookman College in Daytona Beach was named, Mrs. Lampkin was one of the more distinguished citizens of our community and is held in high regard. Unfortunately, members of the Council were not able to be here today, but they will be in the Mayor's Office on Wednesday morning to receive a proclamation from the Mayor and at that time I would like to present to them a gold seal copy of this resolution.

**Mr. Stone:**

Mr. President, I would just like to remind all members of Council, they got a notice, but, there is a briefing today right after this meeting relative to the indoor recreational centers.

**Mr. Robinson** moved to excuse Mr. Givens for absence from this meeting.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, November 17, 1980.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, December 8, 1980

No. 47

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAE . . . . . Ass't City Clerk

Pittsburgh, Pa.

Monday December 8, 1980

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Coyne

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty for Mr. Coyne presented

No. 2186 Resolution providing for an

Agreement/s with PAT and the Urban Redevelopment Authority for Consulting Services in conjunction with Transportation Coordination for the Central Business District, and providing for the payment of the cost thereof, cost not to exceed \$15,000.00.

Also,

No. 2187 Resolution providing for a Contract/s for the construction of a stage foundation, and providing for the payment of the cost thereof, cost not to exceed \$50,000.00 payable from PW80-55, Department of Public Works.

Which were read and referred to the Committee on Public Works.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 2188 Resolution providing for the issuance of a warrant in favor of Treasurer, Allegheny County in the amount of \$750.00 as payment for an installation Permit Fee License.

Which was read and referred to the Committee on Finance.

Also,

No. 2189 Resolution amending Resolution No. 811, approved 8-19-80, effective 8-25-80, entitled, "Providing for an Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street Sidewalk and Retaining Wall (PW 80-30); and providing for the payment of the cost thereof", by increasing the total allocation from \$40,000 to \$52,100.

Also,

No. 2190 Resolution amending Resolution No. 524, approved 6/12/80, effective 6/18/80, entitled, "Providing for an Agreement or Agreements with a Professional Engineering Consultant for Traffic Engineering Services and providing for the payment of the cost thereof" by authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from \$15,000 to \$18,000.

Also,

No. 2191 Resolution further amending Resolution No. 1229, approved 12-29-79, effective 1-1-80, as amended by Resolution No. 558, approved 6-23-80, as amended by Resolution No. 849, approved 8-19-80, as amended by Resolution No. 970, approved 9-25-80, as amended by Resolution No. 1026, approved 10-10-80, as amended by Resolution No. 1105, approved 10-24-80, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program" by redefining funding sources and adding new project line items.

Also,

No. 2192 Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended by Resolution No. 1045, approved December 31, 1976, as amended by Resolution No. 1148, approved November 25, 1977, as amended by Resolution No. 748, approved August 6,

1980, entitled, "Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted" by reducing the allocation from \$2,000,000.00 to \$100,000.00.

Also,

No. 2193 Resolution amending Resolution No. 834, approved August 19, 1980, effective August 25, 1980, entitled, "Providing for a Contract/s for Nine Mile Run Sewer (PW 80-26); and providing for the payment of the cost thereof," by amending the Resolution Title.

Also,

No. 2194 Resolution authorizing the issuance of a permit to Francis W. Lippert to grade and maintain an unimproved portion of Arden Way at the rear of his property in the Twenty-Ninth Ward of the City of Pittsburgh.

Also,

No. 2195 Resolution providing for an Agreement granting to R. Marshall Brown the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by R. Marshall Brown in the 32nd Ward, City of Pittsburgh.

Also,

No. 2196 Resolution granting unto the American Thermoplastic Company, owners of property at 622 Second Avenue in the Second Ward of the City of Pittsburgh, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, two circular planters in the sidewalk area of 622 Second Avenue.

Also,

No. 2197 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of pay-

ment of \$2,800.00 for extra work in connection with rehabilitation of Herron Avenue, Controller's Contract Nos. 22726 and 22726F.

Also,

No. 2198 Petition from Arthur H. Hornish, Pastor, Evangelistic Lutheran St. Paul's Church, North Side, requesting a hearing regarding lack of traffic control at a convenient pedestrian crosswalk across East Commons Street to the Allegheny Center Mall.

Which were severally read and referred to the Committee on Public Works.

**Mr. Flaherty** presented

No. 2199 Resolution amending Resolution No. 1147, effective November 14, 1980, providing for contracts for renovations of various public buildings by reducing authorized amount from \$55,000 to \$46,880.33, by reason of reduction of Capital Project LB 77-09 from \$15,740.91 to \$7,621.24.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Flaherty** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 2200 Resolution repealing Resolution No. 110, approved 2/5/79, for the sale of vacant land on Cobden St., in the 16th Ward designated as Block 13-H, Lots 162 through 182 (as listed) to Walter G. Artinger, for the sum of \$9,050.00. This resolution is to repeal sale and return hand money to purchaser.

Also;

No. 2201 Resolution amending Item (C) of Resolution No. 1160, approved 11/14/80, for the sale of 3 lots on Shetland St., 12th Ward designated as Block 124-J-191, 192, 193 to Roosevelt and Leatha Anderson, for the sum of \$2,000.00. Amendment is to correct date of sale from June 21, 1974 to June 21, 1971.

Also,

No. 2202 Resolution amending Resolution No. 1210 approved 11/21/80 for the sale of a lot on Parkwood Road in the 16th Ward designated as Block 13-N, Lot 258, to Richard and Anna Marie Godesky, for the sum of \$250.00. Amendment is to correct former owner's name from Eichmiller to Eichenmiller.

Also,

No. 2203 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 2204 An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, Chapter 1083, High Rise Buildings, by adding Section 1083.14, Sprinkler Protection.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff** presented

No. 2205 Resolution providing for the issuance of a warrant in favor of Atwood & Bates Construction Company, 3624 Bates Street, Pittsburgh, PA 15213, in the amount of \$450.00 chargeable to and payable from WD-76-2 (4-05-20-1165-76) to lower an

existing valve box and installing a new reinforced concrete roof.

Also,

No. 2206 Resolution transferring the sum of \$2,739,906.00 from the Water Fund to the General Fund of the City of Pittsburgh.

Also,

No. 2207 Resolution transferring \$4,000.00 from Code Account No. 1792, Contingency Fund, Unexpended Salaries to Code Account No. 1700, Salaries and Wages, Regular Employees.

Which were severally read and referred to the Committee on Finance.

Mrs. Masloff presented

No. 2208 Resolution to change the name of the Allegheny Community Theater to the Theodore L. Hazlett, Jr. Theater.

Which was read and referred to the Committee on Parks and Recreation.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 2209 Resolution providing for a Supplemental Lease Agreement or Agreements with the Arts and Crafts Center of Pittsburgh, Inc., for the lease and improvement of the Arts and Crafts Center property in Mellon Park.

Also,

No. 2210 Resolution providing for the

letting of a contract or contracts for the construction of Southside Riverfront Park; and providing for the payment of the cost thereof, cost not to exceed \$475,000.00.

Also,

No. 2211 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Southside Skating Rink Roof Project.

Which were severally read and referred to the Committee on Parks and Recreation.

Mr. Robinson presented

No. 2212 An Ordinance implementing a Community Advisory Board in District 23 and providing for the organization thereof.

Also,

No. 2213 Resolution providing for an agreement or agreements with Zurawsky & Associates in connection with Zoning Board of Adjustment hearings, in an amount not to exceed Four Thousand Five Hundred (\$4,500.00) Dollars and providing for the payment of the costs thereof.

Also,

No. 2214 Reesolution providing for an agreement/s with consultant/s to provide services for study of the Pittsburgh Code of Ordinances, Title IX, Zoning, cost not to exceed \$50,000.00 from 1979 Community Development Funds CA. 4-35-05-3076-79-56-79-35.

Also,

No. 2215 Resolution approving the sale of part of Parcel 4E in the 11th Ward of the City of Pittsburgh by and between URA and George R. Simons and Helen M. Simons for \$1,826.00, Industrial Land Reserve Fund.



Also,

No. 2216 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Gary Erenrich to attend Federal Highway Administration Conference on Parking Management, Washington, DC, December 10-11, 1980, at cost not to exceed \$350.00, payable from Community Development Block Grant Program, Department of City Planning, Administration, Code Account CDPA.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2217 Resolution authorizing the sale of General Obligation Capital Notes in the amount of \$46,000.0.

Which was read and referred to the Committee on Finance.

Mr. Stone moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 2218 Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Labor and Industry, Office of Employment Security in the amount of \$450.00 in payment for Business Listings printed on Computer Tape of Employers in Allegheny County and the City of Pittsburgh, Pennsylvania furnished for the benefit of the City in connection with efforts to gather information on businesses in the City of Pittsburgh, Pennsylvania for tax collection purposes; and providing for the payment thereof; payable from C.A. 1063, Miscellaneous

Services, Department of Treasurer, approved by Council Bill 1583 of 1980.

Also,

No. 2219 Resolution providing for the issuance of a warrant to Geraldine Randolph and Damon Randolph, her husband in the amount of \$6,250.00 in full settlement of claim for personal injury and providing for the payment thereof.

Also,

No. 2220 Resolution providing for the issuance of a warrant to Melva Brown, parent and natural guardian of Melissa Brown, a minor, and in her own right; c/o Paul F. Laughlin, Esq., 140 Ft. Pitt Commons Building, Pittsburgh, PA 15219, in the amount of \$3,200.00 in full settlement of a claim for personal injuries and providing for payment thereof.

Also,

No. 2221 Resolution providing for the issuance of a warrant to Daniel J. McGreevy, Law & Finance Building, Pittsburgh, Pennsylvania 15219, in the amount of \$2,500.00 in full settlement of a claim for property damage.

Also,

No. 2222 Resolution amending Resolution No. 1225, approved November 20, 1980, entitled, "Transferring \$200,000 to Code Account 58, Municipal Pension Fund-Old, from Code Account 55, Policemen's Relief and Pension Fund" by correcting the title and source of funds.

Also,

No. 2223 Resolution amending a portion of Resolution No. 704, approved August 7, 1979, entitled, "Providing for an Agreement or Agreements with local colleges, for an agreement or agreements with local colleges, universities and other accredited educational institutions, to provide educational training and educational services

together with other appropriate and related educational materials and educational services for the City of Pittsburgh CETA Career Advancement Voucher Demonstration Project participants and providing for the payment of the cost thereof" by increasing authorized amount from \$225,000.00 to \$425,000.00, payable from CETA Title III Trust Fund.

Also,

No. 2224 Resolution providing for an Agreement or Agreements for professional computer programming and data processing services as a means for complying with the U.S. Department of Labor reporting and tracking requirements under the Comprehensive Employment and Training Act, cost not to exceed \$100,000.00, payable from CETA Trust Fund.

Also,

No. 2225 Resolution providing for a software lease agreement with the University of Kansas as authorized distributor for a computer software product SPSS, in the amount of \$4,000.00 payable from Code Account 1043, Miscellaneous Services, City Information Systems, Mayor's Office.

Also,

No. 2226 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting interim approval of payment of \$1,150.00 to Thomas Kerr for professional legal services in connection with public hearings held by Commission on Human Relations to be payable from EEOC-2 Trust Fund Account.

Also,

No. 2227 Communication from Ronald Schmeiser, City Treasurer, requesting reimbursement of \$208.00 for travel expense (plane fare) in connection with attendance at U.S. Conference of Mayors Legislative Action Committee Meeting, November 13, 1980, to discuss Federal Aid to Cities, payable from Code Account 1063, Miscel-

laneous Services, Department of City Treasurer.

Also,

No. 2228 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Rose Nagy to attend Region III Youth Specialist Meeting, Williamsburg, VA, December 16-17, 1980 at a cost not to exceed \$315.00 payable from CETA Trust Fund, Federal Funds.

Also,

No. 2229 Communication from Al Benedict, Auditor General, submitting audit report for the period January 1, 1978 to December 31, 1979.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2230 Report of the Committee on Finance for December 3, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2096

A Resolution entitled, "Resolution transferring the amount of Two Thousand Seven Hundred (\$2,700.00) Dollars from Code Account 42-2, Contingent Fund to Code Account No. 1640, Salaries, Regular Employees, Traffic Control Division Bureau of Operations, Department of Public Works."

Which was read.

Also,

Bill No. 2097

A Resolution entitled, "Resolution transfer-

ring the amount of \$800.00 from Code Account 1534, Equipment to 1544, Sewer Maintenance Contracts, both accounts within the Department of Public Works."

Which was read.

Also,

Bill No. 2098

A Resolution entitled, "Resolution transferring the sum of Thirty One Thousand (\$31,000.00) Dollars from Code Account 1612, Materials, Street and Sewer Maintenance Division to Code Account 1610, Miscellaneous Services, 1611, Supplies, 1611-1, Utilities and 1612-1, Repairs, all accounts within the Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2012

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Edward Margolis, in the amount of \$385.74 in payment for extra work furnished for the

benefit of the City in connection with the design of No. 8 Police Station; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2110

A Resolution entitled, "Resolution authorizing for the issuance of a warrant in favor of Robert Augustine & Sons, Inc., in the amount of \$5,660.82 in payment for work performed at the Schenley Park Golf Clubhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2111

A Resolution entitled, "Resolution amending Resolution No. 1141, effective December 2, 1977, entitled, 'Authorizing the issuance of a warrant in favor of Robert M. Fenton, Architect, in the amount of Two Thousand (\$2,000.00) dollars in payment for Extra Design Work in connection with the Renovation of Mount Washington Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof,' by decreasing the authorization to \$1,957.58."

Which was read.

Also,

Bill No. 2112

A Resolution entitled, "Resolution amending Resolution No. 899, effective September 26, 1980, entitled, 'Authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$4,010.00 Dollars in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment

thereof" by changing the year of the fund-accounts."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Givens
Mrs. Masloff	Michelle Madoff
Mr. O'Malley	Mr. Stone
Mr. Robinson	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2113

A Resolution entitled, "Resolution transferring to the following Parks and Recreation Code Accounts the aggregate sum of \$67,000 from Code Account 42-2, Council's Contingent Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Michelle Madoff
Mr. Givens	Mrs. Masloff

Mr. O'Malley	Mr. Stone
Mr. Robinson	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2123

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of On-Line System, Incorporated, in the amount of \$143,911.00 for professional services in connection with the implementation and operation of an automated accounting and reporting system for Capital Funds and Community Development Funds."

Which was read.

Also,

Bill No. 2124

A Resolution entitled, "Resolution providing for the issuance of a \$1,300.00 warrant in favor of Joseph G. Brimmeier; Brimmeier Vending Company, in full settlement of claim for damages; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2125

A Resolution entitled, "Resolution providing for the issuance of a \$1,300.00 warrant in favor of Mary Sestric in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2126

A Resolution entitled, "Resolution providing

for the issuance of a warrant to Stanley and Arlene Mubel, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213 in the amount of \$3,000.00 in full settlement of claim for damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2127

A Resolution entitled, "Resolution providing for the issuance of a warrant to Elsa Andre, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213 in the amount of \$1,500.00, in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 2128

A Resolution entitled, "Resolution providing for the issuance of a warrant to Howard Geis, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$1,000.00 in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 2129

A Resolution entitled, "Resolution providing for the issuance of a warrant to Thomas and Karen Bloom, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$4,700.00 in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 2130

A Resolution entitled, "Resolution providing for the issuance of a warrant to Kenneth and Brenda Williams, c/o Bennett C. Sandick, Esquire, 4220 Centre Avenue, Pittsburgh, Pennsylvania 15213, in the amount of \$1,100.00 in full settlement of claim for damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8      Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2131

A Resolution entitled, "Resolution temporarily transferring the sum of \$72,000.00 from Unrestricted Cash, Urban Redevelopment Authority, to Unrestricted Cash, Department of City Treasurer, Bond Fund."

Which was read.

Also,

Bill No. 2132

A Resolution entitled, "Resolution transferring \$1,573,000.00 from Code Account No. 42-2, Contingent Fund to the following accounts: 44, Workmens' Compensation Fund, \$95,000.00; 45, Health Insurance, Municipal Employees, \$735,000.00; 54, Group Insurance Plan, Municipal Employees, \$125,000.00; 57, Social Security Fund, \$58,000.00; 57-1, Retirement Severance Pay, Sick Leave, \$60,000.00." (AS AMENDED IN COMMITTEE)

Which was read.

Mr. Stone:

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 2132 shall be the date on which it is signed by the Mayor.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 2133

A Resolution entitled, "Resolution amending Resolution No. 1589 of 1979 which was amended by Resolution No. 1121 of 1979, Capital Budget, by providing for an additional appropriation of \$72,000.00 for Project CT 79-01 (4-70-25-0010-79), Capital and Community Development Accounting Expense, Department of City Treasurer."

Which was read.

Also,

Bill No. 2134

A Resolution entitled, "Resolution designating Banks and Lending Institutions to act as Depositories for the year 1981 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories."

Which was read.

Also,

Also,

Bill No. 2135

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training) and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2136

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Part B of the Youth Employment and Demonstration Projects Act (YCCIP, Youth Community Conservation Improvements Project) and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2162

A Resolution entitled, "Resolution transferring to Parks and Recreation's Code Account 1800-1, Premium Pay the aggregate sum of \$12,000.00 from the following Code Accounts." (AS AMENDED IN COMMITTEE).

Which was read.

Also,

Bill No. 2164

A Resolution entitled, "Resolution transfer-

ring the sum of \$260,000.00 from Code Account No. 42-2, Contingent Fund, to Code Account No. 1443-4, Premium Pay, Department of Police."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty for Mr. Coynee presented**

No. 2231 Report of the Committee on Public Works for December 3, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2099

A Resolution entitled, "Resolution amending Resolution No. 1063, approved October 2, 1978, effective October 4, 1978, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design of the Wood Street Bridge; and providing for the payment of costs thereof', and by increasing the total cost from Sixty Seven Thousand (\$67,000.00)

Dollars to Seventy Two Thousand Six Hundred Eighty (\$72,680.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

No. 2232 Report of the Committee on Planning, Housing and Development for December 3, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1295

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John Crunkleton, John H. Crunkleton and Josephine Crunkleton for the sale of Parcel 60 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also, . . .

Bill No. 1857

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Allegheny Conference on Community Development as agent for the organization of a community education program in the City of Pittsburgh in cooperation with the Pittsburgh Public Schools, the Community College of Allegheny County, the Allegheny Conference on Community Development and the Charles Stewart Mott Foundation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2120

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1217 Palo Alto Street, Block and Lot 23-K-108, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 2174

A Resolution entitled, "Resolution amending Resolution No. 390, approved May 4, 1980, as amended by Resolution No. 771, approved August 4, 1980, providing for an agreement with the St. Clair Athletic Association for the renovation of the interior and exterior of the existing facility located at 2400 Elsie Street, 16th Ward, City of Pittsburgh, by increasing the amount to \$115,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Givens presented

No. 2233 Report of the Committee on Supplies for December 3, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2106

A Resolution entitled, "Resolution amending the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, Chapter 161, Contracts, Section 161.08, Supplies Contract, Item Award, by providing for the specification that such contracts may be awarded item by item or on a total bid basis at the discretion of the Director of the Department of Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

Michelle Madoff:

Mr. Stone, didn't we agree to hold that for one week? Wasn't that the bill that we were concerned about, that it would be discretionary —



**Mr. Stone**

Which one are you talking about?

**Michelle Madoff:**

That's Bill No. 2106, wasn't that the bill that we were concerned about, that if we left it — there was some language not put in that clarified this a little further, that it would be discretionary, they could have people fronting in a — they would just arbitrarily, without bid, have contracts? Or is this a separate bill? There may have been two bills, I'm not just sure, where they want to be able to bid on the — also, I had asked for a dollar figure on this and I didn't get the dollar figure, I want it limited to a certain amount of dollars and I didn't get that. A lot of information was supposed to be supplied, nothing has been supplied. I recommend we hold it for a week.

**Mr. Stone:**

Oh, I know what you are talking about. This is only the specs, they still do that. This is to help them in the bidding, this is an enabling bill, you could either take a lump sum or break it down in pieces. If you break it down in pieces and you get less —

**Michelle Madoff:**

Then this is not the same bill then, there was another bill, maybe Mr. Robinson is familiar with it, and I think it was also dealing with minorities.

**Mr. Stone:**

We corrected this, we thought this was the one in which we are buying. What this is, is purely an ability to break it down much like you do at a Treasurer's Sale.

**Michelle Madoff:**

Well, there were two items, there was one that we were going to start looking at, I forgot the terminology, but, getting a better buy, in other words you have some-

body painting maybe with paint that will last 20 years, at the same cost for painting, than doing it every five years with cheaper paint, it is sort of a more cost effective kind of contracting, and they are talking about hiring some professional purchasing agents which are long overdue in the City. I don't know whether this crosses that at all? Do you know what I am saying, would this have any effect —

**Mr. Stone:**

No, this bill is — it has nothing to do with it.

**Mr. Givens:**

Mr. President, what this bill is, if there is a number of items in a particular purchase, it is a total bid, and I find, or the Department of Supplies would find that one of those items was kind of high, he has the prerogative to go out and try to get the lowest price on that particular bid, so he can do it individually or he can do it by total cost. It gives him a greater latitude and in behalf of the City of Pittsburgh he would have to use that nicely, hopefully, if the item is high, he can maybe get a much lower bid on it, where before, when it came in as a total bid we had to accept the total bid knowing that some prices were higher and lower as it went along.

**Michelle Madoff:**

Okay, that's happened in URA too when they put in carpeting at \$40 per yard in the kitchen, that they go the lowest bid, so I see your point. This is not the same building, am I right Mr. Robinson?

**Mr. Givens:**

What do you mean URA put \$40 dollar carpeting in?

**Michelle Madoff:**

I'll tell you about it. Mr. Robinson, Mr. Stone, this is not the same bill, there is another bill?

Mr. Stone:

No.

Michelle Madoff:

Okay, I just wanted to make sure I didn't have the two running together.

The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mrs. Masloff presented

No. 2234 Report of the Committee on Parks and Recreation for December 3, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2114

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597 of 1978; Resolution No. 1205 of 1978, and Resolution No. 339 of 1979, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith, creating Cap-

ital Funds; transferring Bond Funds to said Capital funds', by increasing the funds for Project No. PR 78-09, Project Code No. 4-10-05-1332-78, Swimming Pools, within the Department of Parks and Recreation."

Which was read.

Mr. Givens:

Mr. President, I have some discussion, I don't know if it is pertinent to this, but the Bond Issue is the thing that brought it to mind. The Administration was to go out and buy bonds in, I think December or the latter part of — no later than January?

Mr. Stone:

Yes, that changed though Dick, in view of the high — they went out on a bid and it is coming it at about ten and a half, I think, a little bit higher than that. So the bond is out.

Mr. Givens:

I might add Bob, as I predicted back last September, August and September when they came in with that, I so predicted that the bond market, not being that great in the bond market, but I predicted that the bond market was going to be high come December and — then what did they do Bob?

Mr. Stone:

Well, they weren't going to bid those bonds in fairness until '81 anyhow. So, we put the deadline, we wanted it January 30th so that they would move, I think we gave them the two months really, so the way this is now, you know, for me, I was a little agitated by it but not as Finance Chairman and for the best interest of this City, do you turn around and you say go ahead with the bonds at this high rate, there is no way that you do it. We are going to go now for notes and then we will go for a larger bond later and pay off all the notes. It's what you have to do, but that is saving money.

**Mr. Givens:**

But we are going to give them that leeway, for an additional couple of months, has that come in, in the form of any resolution?

**Mr. Stone:**

It was introduced today.

**Mr. Givens:**

Is that this bill right here?

**Michelle Madoff:**

No, it was introduced this morning.

Mr. President, at the meeting this morning in the Mayor's Office, in the Chambers, Mr. Stone, the subject matter came up and I asked if we could go out rather than three years and even paying it off in a year because I have learned there is a big penalty, I learned that on a personal basis, there is a big penalty, where they could go out for less money for the short term and then go out for more money into the end of '81, and they said yes, they would look into that. I wanted to tell you about it.

**Mr. Stone:**

That is a little more flexible than heretofore they have had, I think Schmeiser has really worked at it. He is stuck and he is doing the best he can I think.

**Michelle Madoff:**

But you understand what I am saying? Instead of going out for the whole forty-six over three years and then paying it off and then having a big penalty, not go out for the whole lump because we can't use it right away anyway and they expect rates to come down by the end of '81 hopefully — it can't get much worse. Not to go for even the amount that they are thinking of going, but to go for a lesser amount for three years and then come back later and

they are going to look into it and I thought you ought to know they are going to look.

**Mr. Stone:**

Yes, but the only problem is every time you go back out it is costing you \$60,000 for the attorney, \$50,000 for this and another one.

**Michelle Madoff:**

Well, he said it was a possibility and I was just telling you that that was one option that we might have that might — you would have to look at the total numbers and see which is the best way to go.

**Mr. Stone:**

No, getting the three year with the opportunity to pre-pay without penalty after a year is not bad.

**Michelle Madoff:**

Fine, but you may want to look into the other, maybe there wouldn't be, maybe they draw it all up at once and just say we won't issue it until three years, or a year from now, depending on the rates.

**Mr. Stone:**

In fairness to this Treasurer, he has been pretty close, whenever something comes up, I have called in on it —

**Michelle Madoff:**

We had a good Treasurer before, he was good too.

Also,

Bill No. 2115

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing agreements with architects, engineers, or other professional services in connection with the design of the Northgate

Park and Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2116

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh History and Landmarks Foundation for the installation of lighting and other capital improvements at the Phipps Conservatory, the cost of which shall be paid by the Pittsburgh History and Landmarks Foundation."

Which was read.

Also,

Bill No. 2117

A Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the Renovation of the West End Park Shelter; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

**No. 2235** Report of the Committee on Lands and Buildings for December 3, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2103

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which was read.

Also,

Bill No. 1347

A Resolution entitled, "Resolution amending Resolution No. 1213, effective November 21, 1980, entitled, 'Providing for a contract or contracts in connection with Public Property Sidewalks and providing for the payment of the cost thereof, by providing for the use of existing contracts.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. President, may I respectfully request that after the new year, would we as soon as possible, it really should be done before budget, but I don't see how we can do it unless we do it during one of our budget process hearings on lands and buildings, I want to know why the 20,000 pieces of property, the bill that passed two years ago, has not been put into effect, the token

booklets that Mr. West has put out at \$2.00 apiece, are just a few pieces they picked at random. It has come to my attention that Rege Valaw's office is only now typing up the title searches from March of last year because they don't have typists, yet we've got 20,000 pieces of property, if we sold one of them we could afford a typist. The issue is not the money that we get from the properties as much as we get them off our backs, and we could perhaps even give some away to bring some jobs into this community. So I want to be sure that we schedule a hearing to include Director West, Ed deLuca, to see if we can think in terms of a new bill in '81 which might give ten year tax write-offs to people, to companies that would come in like Kellogg's or Johnson & Johnson and build permanent businesses here, small commercial plants that would rid of some of those 45 packages and the generate jobs on a permanent basis and get 20,000 pieces of property for whatever — whichever ones are suitable to get rid of. Even Harold West has said to me that at one time they never thought they would build on Mt. Washington, you are doing it now. I want to get that scheduled and those people present.

#### **The Chair:**

A good example of that worthless property is last week where some fellow wants to give it to the City he says he doesn't want it, they are forcing him to keep it, they are going back and forth — Michelle, I just don't think that we can get through to you, or anybody can, I see what you are driving at, at the same time, that property, the City would love to give it away if somebody would take it and put it on the tax roles. Nobody wants it. Ninety-nine percent of it is useless, worthless.

#### **Michelle Madoff:**

Mr. DePasuale, I don't think I can get through to you, I researched it thoroughly for six months and I bought one for \$6,000, the opening bid was 2,300. It is not true that not 20,000 pieces of property are good pieces of property, but if you got

4,000 that are good pieces and saleable, and if you've got some properties you can put commercial sites on, I'm not getting through to you.

#### **The Chair:**

If that property was valuable, somebody would have been rich by now. There are a lot of smart people down there who know what they are doing.

#### **Michelle Madoff:**

Mr. DePasquale, at lunch today, one of our realtors said, I told him the new book was out and he said, "oh, what, a lot of side lots?" Because what they put in the books are garbage and the good stuff was put aside.

#### **Mr. Stone:**

On that last wager, it depends on which way you go it is 9 to 5 and 8 to 4.

#### **Michelle Madoff:**

I think it is quarter to three.

#### **The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### **Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale

(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. O'Malley** presented

Bill No. 2236 WHEREAS, the Italian earthquake of November 23, 1980 killed over 3,000 people in several hundred cities and towns in a 10,000 square mile area east of Naples; and

WHEREAS, this is probably the worst disaster to hit this nation; and

WHEREAS, Italy is a key NATO member and an important ally; and

WHEREAS, Anthony Stagno and Luigi Caruso have taken the lead to collect money to aid in the emergency assistance to this area; and

WHEREAS, such work needs the support of every man, woman and child, regardless of heritage or descent.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and City Council commends Anthony Stagno and Luigi Caruso on their great work on this necessary project and urges its support by all the residents of the City of Pittsburgh.

Which was read.

**Mr. O'Malley** moved for approval.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Flaherty:**

Mr. President, I thought it might be of interest to this Council — there was a prominent article in yesterday's New York Times in regard to private clubs and I'm not sure if I am going to bring this issue up again, I'll have to study it, but I thought it may be of interest that the Council at the other end of the State in Philadelphia, they passed a bill, it was introduced by Arlen

Spector's wife Joan Spector and it was the first of its kind in the nation that passed the Council unanimously. Bill Green is expected to sign it into law. The fact that this bill took, I believe is similar to what Councilman Robinson is trying to do with contractors. What the bill is saying — it is not outlawing private clubs, but it is saying that any firm or corporation which has city contracts and persists in having memberships in exclusive private clubs which do not permit blacks or females will no longer have any contracts.

**Michelle Madoff:**

You mean we wouldn't go to any clubs, like the Duquesne Club, to hold a function for the City?

**Mr. Flaherty:**

Exactly.

**Michelle Madoff:**

Because after all, that is in our price range.

**Mr. Flaherty:**

Exactly, as long as they continue to discriminate. So, I thought it was of interest that this is very prominent in yesterday's New York Times.

**Mr. Givens:**

So noted.

**Michelle Madoff:**

Mr. President, I want to be sure that Mike Perry has scheduled a hearing to review and to bring back from Mr. Brophy, we had a month delay, we said we would do it right after the first of the year, Brophy and Imhoff, the possibility of — what we can do about the situation on the grandfather clause. Now, I've been waiting for a letter, it seems that when material gets mailed to the City I sometimes don't get it for a week, but I was contacted by

someone who teaches real estate law and unfortunately I didn't get his name or number but asked him to write to me at the City. He says the way to get around the grandfather clause on the issue of bringing buildings up to Fire Code, is perhaps in the licensing process and maybe Mr. Stone is familiar with that in his legal experience, I don't know, but we had better start looking at it because since the issue came to light I've had dozens and dozens of phone calls, I have two letters that came to my attention and I want one to be put into the record, I think it is important, I'm going to take a minute to read it, I won't read the other letter, except to tell you it is from somebody else who lives in another building owned by the National Apartment Leasing which is the same owners of the Wendover, who claims that their windows are also shut. I have the person's name and phone number, they asked that it not be used. This person said use their name, she would have come and testified, it says:

"Dear Michelle Madoff:

Since moving to the Wendover Apartments in May of 1978 I participated in four early morning fires, March 1979, June 1979, August 1980 and November 1980. All occurred in the lobby area. May I point out a few facts concerning my own experience. Never having been in a fire before, my main concern was to escape because both stairways lead to the lobby area, I was trapped and couldn't go anywhere. I felt if I was going to die from smoke inhalation I might as well try the elevator. If I had pushed the lobby button I am sure I would have been burned to death but luckily I landed on the B level and escaped through the rear building called the addition. I was then given oxygen and taken to a neighbor's home. I also had to make several visits to my family doctor before I was completely well again.

I called Captain Sanner a few days later and he was very concerned and told me he would call me back. I never received his return call and made several more to his office to no avail. During the next three

fires I remained in my apartment with wet towels around my door. However, with fourteen windows on the lobby side you can imagine how much smoke entered my apartment during the last fire. I also had to have oxygen administered. I feel to protect all of the tenants that we should have fire escapes which would at least enable us to get out into the fresh air. Had I known of your December 3rd meeting I certainly would have arranged to attend."

...and that leads me to the story that appeared in the Press, perhaps the mikes were not very clear and the gentleman who was sitting at the far end of the table at our meeting, I had stated that as I was walking out of the meeting with the tenant in the basement, they had it in their garage on a Sunday, that a gentleman who looked like he was wearing a Peacoat sort of a sailor's Peacoat, maybe a Dutch Sailor's Peacoat, and it dawned on me he was a Fire Inspector. I said, "what are we going to do, these people are very concerned? Why don't we put in fire escapes or do whatever we have to do?" He said, "because Shroeder is very sharp and he would catch the grandfather clause" and I said, "Well laws were made to be changed". The man identified himself, I asked Fire Chief Lewis who he was, the man said it was me, he identified himself by name, he is a matter of the record and you are going to give me that first page of the transcript Mary Anne, and he did confirm that indeed he had said that. So it is not something that I was doing heresay, the man did say that. My concern, and I think that of Council, is not to in any way chatise Mr. Shroeder, but to say that anybody unfortunately has had that number of fires, who owns other buildings and I am sure there are many other tenants who have buildings prior to 47 where they have some serious problems.

Now, a week from Monday I am taping a show with KDKA. I was asked to do it with the people who are coming, and a man who was in the fire in Vegas and was in the fire here in, was it in New Jersey or New York? The last fire where people were burned alive.

I think the day has come and I think Mr. Stone has said it better than anybody else. If somebody owns a building, maybe we can't force them by law to come up to Fire Code, but we have to do something, but maybe we have to get around that law somehow or other. I don't think any of us are going to feel very good if we have another fire and I think there was one in a motel, wasn't there one recently in this area? I cut that one out, where 26 people died as well? I think a time has come where we just have to say, "Come on" and if we have to give tax credits or tax incentives and some kind of write off we really have to deal with this problem and Mr. Brophy and Mr. Imhoff are to come back to Council in a month. Let's make it no later than the middle of January, to give us a report and I don't want to find out how they can't do it, I want to know how they can do it.

That leads me to the next item.

#### **The Chair:**

Michelle, I just want to interrupt you for one second, I was a witness to probably the most tragic fire in the history of the United States, the one in Boston in 1942, I happened to be there, I was in the service then and I think the only change that took place and it is tragic, is they now post in most nightclubs throughout the country, a limit, a capacity, that is about all, most of them are still fire traps. It just seems that nobody conforms.

#### **Michelle Madoff:**

Mr. Presiden, I was at the Press Club the other evening, and a gentleman who was with People's Gas stopped me and said, "you don't remember me, but I am on the school board of Sharpsburg", I think, and he said, "we had a major fire", maybe somebody knows, but I don't know about that fire, where kids were burned and he said, "we just updated all our schools, we just thought we would pass a law that said, "it had to be" and I think as this Council we just have to say, "it has to be".

On another matter — do you recall that I had raised the issue of the tanker truck that went to the fire with 800 gallons of gasoline and 400 gallons of diesel fuel and the men didn't want to drive it and I had the State Inspection Bureau come down and inspect that truck? Well, here is a story that appeared in the Press on December 4th, "Driver Dies, Fire Truck Hits Two Houses". It appears that people carrying their own private insurances, if you Mr. DePasquale on any member of Council were the driver of that truck, all we would be eligible for is Workmen's Comp. We would not be covered by our own personal insurance, we would need special hazard insurance, and they were to come back and I don't remember who was to look into that, I have forgotten, do you recall Mr. Perry? They were to come back to Council and tell us what they would do about special — well, it would be Larry Yatch, I guess it was, yes, it was Larry Yatch and Rich, because he admitted, "yes, they had just heard about it", that indeed the men were not covered. That is Mr. Rich who works for Mr. Yatch. I want a report on special hazard insurance, if we have to get it from Lloyds of London and if the City has to pick up the tab, I want the twelve men, whose wives have called me to say, "if my husband is killed in a tanker truck we are not insured". That you need special hazard insurance and the issue was raised that if we give it to them we are going to be running into a lot of other hazardous jobs and I don't think they quite compare and I would like an answer to that.

And on a final note, for those of you who were here this morning the Mayor held a Press Conference on the problem of West Penn Water, Western Pennsylvania Water, I have an old statement by Dr. Frank Clack when West Penn Water put in their activated carbon and how serious the problems were at that time, where thousands of people were sickened, they did put in activated carbon, they did put something in their system, I can't really in all honesty say that this is their problem, I mean that it was negligence or that they didn't have treatment facilities, because it appears that



the contaminants were injected after the water had cleared the plant. But, it is a very serious problem, we'll know more about it this afternoon and at this point, Dr. Richards has not said not to wash with these hydrocarbons, but hydrocarbons can be absorbed through the pores and if know and talk to anybody I would tell them not to wash with it. We don't know how long they are going to be out and I would like Mr. Stone, if he would, as Finance Chairman, to find out for us, because the media is interviewing me and they should be interviewing him, as to what financial burden that might bear on the City because it appears that the company that caused the one, and I forgot the name of the community where it is out for a month and a half now, does anybody remember the name of it?

**The Chair:**

Grovetown.

**Michelle Madoff:**

It was from an exterminator, that lines had to be replaced and there is a tremendous burden, now you know the PUC granted West Penn Water a rate increase. We're paying two million dollars to underwrite them, the rate is going up and one of the reporters said to me, "can you really blame the exterminator, he didn't know the water was shut off", well, that's like this morning's hearing Mr. Stone when they said, "we didn't know there wasn't a sewer, we never checked it". I mean anybody who is using highly toxic chemicals under pressure that doesn't bother to find out that the water is turned on or off, has a liability from where I sit, and somebody has to follow through on this because every time those rates go up and we underwrite it, it comes out of the City pocket on a third of that, or am I off base on that? Mr. Stone, do we have any liability? I don't mean liability in damages, but in the fact that the costs are greater to those people, that we absorb those costs, that third?

**Mr. Stone:**

We don't but somebody does. Somebody is liable.

**Michelle Madoff:**

But in this case, this community that Mr. DePasquale just mentioned, at the moment they are saying nobody is at fault, it was an accident. That means that we do pick it up —

**Mr. Stone:**

If the accident is accountable. If somebody put something in the water that doesn't belong there —

**Michelle Madoff:**

Well, I just hope it isn't the same company. But I just think that we ought to know, this is very serious, I had someone call me last night who thought he had eaten some food that was in that area and I hadn't realized what had happened, but this is something that we really have to stay on top of..

**The Chair:**

I just hope it wasn't done purposely.

**Michelle Madoff:**

I don't think they did either.

**The Chair:**

I don't mean the company, I'm talking about some crazy person.

**Michelle Madoff:**

Mr. DePasquale, industry has been known to do it purposely, after dark, into the sewer lines and contaminate Alcosan.

Mr. Stone moved to excuse Mr. Coyne for absence from this meeting.

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**Mr. Givens seconded the motion.**

**Which motion prevailed.**

**Mr. Givens moved to approve the Minutes  
of Monday, November 24, 1980.**

**Mr. Stone seconded the motion.**

**Which motion prevailed.**

**And on motion of Mr. Stone**

**Council adjourned.**

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, December 15, 1980

No. 48

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, Pa.

Monday, December 15, 1980

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Coyne

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty for Mr. Coyne presented

No. 2237 Resolution amending Reso-

lution No. 1180, approved 12-27-79, effective 12-31-79, entitled, "Authorizing the Mayor and the Director of the Department of Public Works on behalf of the City of Pittsburgh to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits", by designating that all such reimbursements received from Penn DOT shall be deposited in the Liquid Fuels Tax Trust Fund.

Also,

No. 2238 Resolution amending Resolution No. 786, approved 8-8-80, effective 8-14-80, entitled, "Providing for a Contract or Contracts for the reconstruction of Pringle Street Storm Sewer; and providing for the payment of the cost thereof", be redefining the funding source, as PW80-48, 4-01-25-0960-80.

Also,

No. 2239 Resolution amending Resolution No. 1259, approved 12-2-80, effective 12-5-80, entitled, "Providing for a Contract or Contracts or the use of existing Contracts, for concrete repairs to City Steps, various locations, and providing for the payment of the cost thereof", by increasing the total allocation from \$35,000.00 to \$75,000.00, payable from PW 80-32 Department of Public Works.

Which were severally read and referred to the Committee on Public Safety.

Mr. Flaherty moved to suspend Rule 8 by

providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 2240 Resolution amending Resolution No. 1249, approved 12-2-80, effective 12-5-80, entitled, "Providing for the issuance of a warrant in favor of the Mosites Construction Co., in the amount of \$2,268.00 in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Lincoln Avenue Bridge, and providing for the payment thereof", by redefining the funding source.

Which was read and referred to the Committee on Finance.

Also,

No. 2241 Resolution providing for an Agreement or Agreements with Pittsburgh Testing Laboratories for shop inspection of concrete and steel in connection with the Larimer Avenue Bridge and providing for the payment of the cost thereof. Cost not to exceed \$20,000.00 payable from PW 80-10, Department of Public Works.

Also,

No. 2242 Resolution providing for the taking of property in the 5th Ward of the City of Pittsburgh owned by Harry E. Survis and Frances Survis, his wife, for the widening of Bigelow Boulevard and authorizing payment of just compensation and necessary incidental acquisition and relocation costs related thereto.

Which were read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 2243 Resolution authorizing the issuance of a warrant in favor of "City-County Building Weatherization Program", Capital Project LB 78-09 (4-25-13-2035-78), in the amount of \$110,000.00 as reimbursement for monies inadvertently deposited in "Weatherizing Homes in Pittsburgh Trust Fund", chargeable to and payable from the "Weatherizing Homes in Pittsburgh Trust Fund" Equibank S.T.F. #1.

Which was read and referred to the Committee on Finance.

Also,

No. 2244 Resolution providing for an Agreement or Agreements with the Fox Chapel Stone and Supply, Inc., for use of right-of-way over City property on Freeport Road.

Also,

No. 2245 Resolution providing for the leasing from Buncher Management Agency, Inc., 5600 Forward Avenue, Pittsburgh, PA 15217, for a parcel of land containing approximately 479,800 sq. ft. or 11.01 acres, in the 6th Ward of the City of Pittsburgh, for a term of one year beginning January 1, 1981, at an annual rental of \$83,134.00, payable quarterly at a rate of \$20,783.50, upon certain terms and conditions; and providing for the payment of the same.

Also,

No. 2246 Resolution providing for the renewal of the Public Safety Building Elevator Maintenance Contract, Controller's Contract #17651 for 1-1-81 to 12-31-81, chargeable to C.A. 1364, Department of Lands and Buildings.

Also,

No. 2247 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired

at tax sale in accordance with Act No. P.L. 787 of 1937, as amended.

Also,

No. 2248 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 2249 Resolution providing for the issuance of a warrant in favor of Jeffrey Dresser Corporation in the amount of \$1,310.75 for the emergency purchase of repair parts furnished to the Water Department without previous authority of law, chargeable to and payable from Code Account No. 1714, Materials, Department of Water.

Which was read and referred to the Committee on Finance.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

No. 2250 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive repair equipment (fuel monitoring system, fuel facilities, etc.) for the Department of Supplies, the cost of which is not to exceed \$50,000.00, chargeable to and payable from Capital Project Fund 4-30-01-0001-80 9SD-01) Miscellaneous City Equipment, Department of Supplies.

Which was read and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 2251 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of computer equipment (dual fixed disk data banks) for the Police Department, at a cost not to exceed \$33,000.00, chargeable to and payable from City-County Integration Identification System Project Fund (C-CIISP), Department of Police.

Which was read and referred to the Committee on Finance.

Michelle Madoff presented

No. 2252 Resolution transferring \$3,000.00 from Code Account No. 1714, Materials, to Code Account No. 1701, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Finance.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 2253 Resolution providing for the

issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of \$869.00, chargeable to and payable from Code Account No. 1705, Repairs, Department of Water, for repairs of carbide cutters.

Also,

No. 2254 Resolution providing for the issuance of a warrant in favor of Homelite-Textron, P.O. Box G-10861, Newark, N.J. 17101, in the amount of \$270.80, chargeable to and payable from Code Account 1705, Repairs, for repair of pump.

Which were read and referred to the Committee on Finance.

Also,

No. 2255 An Ordinance supplementing the Pittsburgh Code, Title Three, Water, Article III, Water Distribution, Chapter 319, Backflow and Cross Connections, by adding a new sub-section 319.01(a), Backflow Connections on Residential Properties..

Also,

No. 2256 Resolution repealing Resolution No. 724, approved August 10, 1977, entitled, "Providing for a contract or contracts for the Installation of a Reservoir Protection Cover and other appurtenances, cost not to exceed \$150,000.00, chargeable to and payable from the Capital Fund of 1977, WD77-1."

Which were read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2257 Resolution transferring to the Department of Parks and Recreation's Code Account 1827, Bureau of Maintenance, Swimming Pools and Skating Rink Division, Wages, Regular and Temporary Employees, the amount of \$5,000.00 from Council's Contingent Fund, Code Account 42-2.

Which was read and referred to the Committee on Finance.

Mrs. Masloff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 2258 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$12,296.94 in payment for work performed at Schenley Park Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 2259 Resolution authorizing the issuance and payment for a Semi-Final Estimate to Mon Valley Fence Company, in conjunction with the Rehabilitation of Oakwood Ballfield, Controller's Contract No. 24366, and reducing the retained percentage from Ten (10%) percent to Five (5%) percent.

Also,

No. 2260 Resolution authorizing the issuance and payment of a Semi-Final Estimate to Oliver Meneghini Company, in conjunction with the Color Coat Resurfacing at Various Locations, Controller's Contract No. 24655, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent.

Which were severally read and referred to the Committee on Finance.

Mr. Robinson presented

No. 2261 An Ordinance amending the

Pittsburgh Code, Title Nine, Zoning District Map No. 10, by changing from "R3" Multiple-Family Residence District to "C1" Neighborhood Retail District, three properties having frontage on the westerly side of Jancey Street north of Greenwood Street, 10th Ward.

Also,

No. 2262 Resolution approving a Conditional Use under Section 993.01(a)A(4) of the Pittsburgh Code, Title Nine, Zoning, to Giant Eagle Markets, Inc., to expand their present parking facility located along Brighton Road at the boundary line of Ross Township and the City of Pittsburgh, 27th Ward.

Also,

No. 2263 Resolution providing for the filing of an application with the U.S. Department of Housing and Urban Development for grant in connection with 1981 Community Development Block Grant Program.

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2264 Resolution providing for the issuance of a \$1,280.00 warrant in favor of John Wallace, Mary Brown, Frieda Brown and Emma Majeed for property damage by a Bureau of Refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 2265 Resolution providing for the issuance of a \$972.68 warrant in favor of Edward Yarnot for automobile damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2266 Resolution providing for the

issuance of a \$2,547.74 warrant in favor of Brashear Association, Inc., for property damage due to a malfunction in the City's main sewer line, charging same to Code Account No. 46, Judgments.

Also,

No. 2267 Resolution providing for the issuance of a \$1,450.00 warrant in favor of Erma Dembecki Wilson in settlement for auto damage by a City Parks and Recreation vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2268 Resolution providing for the issuance of a \$964.81 warrant in favor of Carl F. Neely for automobile damage when struck by a City Fire vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2269 Resolution providing for the issuance of a warrant to Nathaniel Reed and Elizabeth Reed, his wife, c/o Joseph M. Zoffer, 1516 Frick Building, Pittsburgh, Pennsylvania 15219 in the amount of \$10,000.00 in full settlement of claim for personal injury and providing for the payment thereof.

Also,

No. 2270 Resolution providing for an Agreement or Agreements with Community College of Allegheny County, Pennsylvania Alliance for Jobs and Energy, Pittsburgh Free Clinic, Inc., and Three Rivers Youth for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof not to exceed \$330,001.00.

Also,

No. 2271 Resolution providing for an Agreement or Agreements with Arthritis Foundation, Western Pennsylvania Chapter, Mount Washington Children's Center, Neighborhood Centers Association, Penn

Circle Community High School, Pittsburgh History and Landmarks Foundation, and United Cerebral Palsy Association of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof not to exceed \$112,101.00.

Also,

No. 2272 Resolution providing for the lease of certain property at 3rd floor, 915-921 Penn Avenue Building, 2nd Ward, to house the administration of the CETA's Intake, PSIP, CPS, Data, etc., components of the CETA Program upon certain terms and conditions and providing for the payment of the cost thereof, total rental for 1981 not to exceed \$138,562.50, payable from CETA Trust Fund.

Also,

No. 2273 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Clarence Parker, to attend U.S. Department of Personnel Management Training Course on sexual harrassment, at a cost not to exceed \$55.00 payable from CETA Trust Fund.

Also,

No. 2274 Communication from Richard S. Caliguiri, Mayor of the City of Pittsburgh submitting the executed Collective Bargaining Agreement between the City of Pittsburgh and the Service Employees International Union, Local 192-B, representing the City's School Crossing Guard.

Which were severally read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2275 Report of the Committee on Finance for December 10, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2156

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Beckwith Machinery Company in the amount of \$25,486.97 in payment for repairs to Heavy Equipment vehicles, Department of Public Works, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2159

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Frank Bryan, Inc., 1263 Chartiers Avenue, McKees Rocks, PA 15136, in the amount of \$294.00 in payment for Ready Mix Concrete furnished for the benefit of the City and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.



Also,

Bill No. 2163

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1803, Utilities, the amount of \$70,000.00 from Council's Contingent Fund, Code Account 42-2."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2165

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,218.00 in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2166

A Resolution entitled, "Resolution providing

for the issuance of a warrant in favor of Beattie-Coleman Systems, Inc., P.O. Box 1324, Cleveland, Tennessee 37311, in the amount of \$403.75 in payment for repairs to camera equipment, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2167

A Resolution entitled, "Resolution transferring the sum of \$100,000.00 from Code Account No. 1461, Salaries and Wages, Regular and Temporary Employees, and \$50,000.00 from Code Account No. 1461-3, Longevity, to Code Account No. 1461-1, Premium Pay, within the Department of Fire."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2175

A Resolution entitled, "Resolution providing for the issuance of a warrant to Gertrude Johnson, c/o Kenneth P. Christman, Esquire, 524 Grant Building, Pittsburgh, Pennsylvania 15219, in the amount of \$1,587.56 in full settlement of claim for property damage and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2176

A Resolution entitled, "Resolution transferring the aggregate sum of \$186,700.00 from Code Account No. 42-2 Contingent Fund to various Salary and Wage Code Accounts in the amounts indicated." (AS AMENDED IN COMMITTEE).

Which was read.

Mr. Stone:

I move to amend Bill No. 2176 to increase that amount to be transferred to Code Account 1126 from \$5,000 to \$6,000, changing the total amount from \$186,700 to \$187,700.

Mr. Robinson seconded the motion.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Mr. Stone:

In accordance with Section 322 of the

Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 2176 shall be the date on which it is signed by the Mayor.

Mr. Robinson seconded the motion.

Which motion prevailed.

Also,

Bill No. 2177

A Resolution entitled, "Resolution further amending Resolution No. 160, approved March 14, 1980, entitled, 'Authorizing and Directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of \$500,000.00 from Code Account No. 1099-2 to CETA-T.2 Trust Fund and CETA-T.6 Trust Fund to pay for wages and fringe benefits paid to CETA participants over the authorized Federal salary of \$10,000.00 per annum', by reducing the amount to \$239,900.00 and by transferring \$110,100.00 from Code Account No. 1099-2 to Code Account No. 42-2."

Which was read.

Also,

Bill No. 2178

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for the implementation of daycare and related services under the Employment Opportunities Pilot Program, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2179

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Urban Revitalization, Pittsburgh, Inc. for the

implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty for Mr. Coyne presented

No. 2276 Report of the Committee on Public Works for December 10, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2186

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County and the Urban Redevelopment Authority for Consulting Services in conjunction with Transportation Coordination for the Central Business District and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2187

A Resolution entitled, "Resolution providing for a contract or contracts for the construction of a stage foundation, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

No. 2277 Report of the Committee on Planning, Housing and Development for December 10, 1980, transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2168

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Stephen Foster Center for the renovation of the existing facility located at 286 Main Street, City of Pittsburgh."

Which was read.

**Mr. Robinson:**

Mr. President, on Bill No. 2168, an amendment has been requested by the Planning Department, they feel that the change will assist in developing this program.

I move that Section 1 of Bill No. 2168 be amended to read as follows:

"The Mayor and the Director of the Department of City Planning on behalf of the City of Pittsburgh are hereby authorized to enter into a contractual agreement or agreements with the Urban Redevelopment Authority of Pittsburgh and the Catholic Youth Association/Stephen Foster Center for Rehabilitation."

and all other parts of that Section shall remain the same.

**Mr. Stone** seconded the motion.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Givens</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2173

An Ordinance entitled, "An Ordinance amending Ordinance No. 27, enacted the

10th day of October, 1978, which amends the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16 by extending the period of time under Section 2 which is provided for recording of an APPROVED Subdivision Site Plan with the County Deed Recorders Office."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Givens</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff** presented

No. 2278 Report of the Committee on Water for December 10, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2160

A Resolution entitled, "Resolution amending Resolution No. 963, approved September 25, 1980, entitled, 'Providing for a contract or contracts for the furnishing and delivery of water meters of various sizes, less trade-ins, for the requirements of the

Department of Water, and providing for the payment thereof by changing the Capital Budget line item identification."

Which was read.

Also,

Bill No. 2161

A Resolution entitled, "Resolution providing for a contract or contracts for the Relay of Undersized Water Lines Serving Fire Hydrants on Various Streets; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff** presented

No. 2279 Report of the Committee on Parks and Recreation for December 10, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2208

A Resolution entitled, "Resolution to change

the name of the Allegheny Community Theater to the THEODORE L. HAZLETT, JR. THEATER."

Which was read.

**Mr. Stone:**

Mr. President, I would like to have my remarks from Wednesday's meeting on Bill No. 2208 incorporated into the minutes of today's meeting.

**MR. STONE'S REMARKS ON  
BILL NO. 2208  
FROM THE MEETING OF  
WEDNESDAY, DECEMBER 10, 1980:**

**Mr. Stone:**

This bill carries a resolution with it. For those of you who don't know about Mr. Hazlett, he has been a very important individual in the development of the City of Pittsburgh over many years.

In addition to the efforts under the former Mayor and to the development to Renaissance I, he had been extremely active in his later years and involved in the foundation of Allegheny Conservation. He also worked with SPRPC and aside from being a dedicated individual I think his dedication to himself and to some of the causes that covered the development of the City of Pittsburgh. He was a tremendous man and I will entertain a motion to approve.

End of Mr. Stone's remarks on Bill No. 2208, December 10, 1980.

**The Chair:**

Is there any further discussion on the bill.

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 2280 Report of the Committee on Public Safety for December 10, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 2169**

A Resolution entitled, "Resolution providing for an Agreement or Agreements with instructors for professional services in connection with the training of police recruits; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally."

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

**Ayes 8    Noes none**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

No. 2281 Report of the Committee on Lands and Buildings for December 10, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2158

A Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires, two (2) anchors and guy wires and other necessary appurtenances thereto on City property fronting on Windom Street, 17th Ward."

Which was read.

Also,

Bill No. 2199

A Resolution entitled, "Resolution amending Resolution No. 1147, approved November 10, 1980, effective November 14, 1980, entitled, 'Resolution providing for a contract or contracts or the use of existing contracts in connection with Renovations Various Public Buildings and providing for the cost thereof, by reducing Capital Project LB77-09, Renovations Various Public Buildings, from \$15,740.91 to \$7,621.24 for an aggregate cost not to exceed \$46,880.33'."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Mr. Givens</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### **MOTIONS AND RESOLUTIONS**

**The Chair presented**

Bill No. 2282

Resolution approving the appointment of Jim O'Malley as a member of the Allegheny County Sanitary Authority effective January 1, 1981 and expiring December 31, 1985.

Which was read.

**Mr. Stone** moved for approval.

**Michelle Madoff:**

When did that come about? That is your appointment, is that correct Mr. DePasquale, is that at your discretion?

**The Chair:**

It is at my discretion.

**Michelle Madoff:**

At your discretion. I think Mr. O'Malley is a very competent, hard working Councilman, but I think with my ten years experience and background in that field and having asked to be appointed to that commission since I got here, I think that this Council and the Chairman are not utilizing talents available to them and I will vote against it not because of O'Malley, because I want the seat myself.

**The Chair:**

That is your evaluation.

**Michelle Madoff:**

And because I might find what is going on there I presume I will never be appointed to it.

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

**Mr. Flaherty**

**Mr. Robinson**

**Mr. Givens**

**Mr. Stone**

**Mrs. Masloff**

**Mr. DePasquale**

**Mr. O'Malley**

**(Pres't)**

**Ayes 7    Noes 1**

**Michelle Madoff voting No**

And a majority of the votes of Council being in the affirmative, the appointment passed finally.

**The Chair:**

Mr. O'Malley is confirmed as a member of the Allegheny County Sanitary Authority Board. Incidentally that term runs from January 1, 1981 to December, 1985.

**Mr. Givens:**

Mr. President, who departed from the Board?

**The Chair:**

Fred Egler.

**Michelle Madoff:**

Mr. President, I had an ordinance today, I believe it was introduced by Mike Perry as an ordinance, is that correct?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

I think it is important that we discuss it because although it will come up for discussion a week from Wednesday, I think the input of this Council is very important. I distributed extra copies because most people don't get copies of the bill. The ordinance suggests that since we already have a backflow protector that is mandatory on hospitals and funeral homes and nursing homes, which protect the drinking water from backflow contamination, that is already the law, it is also the law, under the County Pumbing Code, that all new homes have backflow protectors and because it would be a burden and a hardship to perhaps force, or mandate all homeowners to put them on immediately, I have suggested two years yet I would not be adverse to three years. The cost of the item is \$17.50. This City had better get its priorities in order.

Presently we have remote water readers, which we are now I believe charging — we went from \$15 to \$25, Mr. Stone? Last year? I think we increased it — we increased it from \$15 to \$25 for a remote water reader. While it is marvelous to have remote water readers and even have water readers every month, I presume they are supposed to go out every month, if it was necessary to put our house in order and have priorities, maybe we should just be mailing out a card to people having them send their cards back, mandate that and save the monies from the readers and the monies from the remote readers and put the money into installing this piece of equipment and charging a reasonable fee to the homeowner



because the cost of buying water when you don't have water, or having to go somewhere and take a cold shower for months on end and having to replace water lines would be far more costly to individuals.

Now, I don't know whether Council has heard, but I heard earlier today, just about a half hour ago that West Penn Water held a Press Conference and it was believed to be and I had a call over the weekend and I talked the person out of it because I didn't believe that their assumption was correct. He believed it to be and it is the belief now of West Penn Water, that it was a sabotage job. The concentrations were found at a main and it is the old story of somebody hijacks a plane or somebody commits a robbery or a burglary, somebody else copies his style. It became very evident that by taking small quantities of very, very accessible chemicals, the chemicals used in exterminating, by exterminators can be bought at any garden store. The material they found in the water is in the components of the spraying agents you would use in a garden, or exterminating, anybody could do it themselves. I think we have to think in terms of accidents happening. Now, we only know about one accident which is confirmed in this immediate area, that is Groveton, but I believe it was the weekend paper went into detail about a number of communities and there are some articles that have been appearing regularly, about five or six communities have had this accident happen, it could happen to any one of us. And I think we ought to really seriously think about how we can equate the dollar factor with the individual homeowner because it is not the \$17.50 it is the plumbing fee as well and if the plumbing fee becomes high then perhaps we ought to put our house in order and say, "Well, maybe that is more important than the meter readers", maybe it is more important than having Mr. Stone's bill of the curb to the main, where we pick up \$2 Million a year in expenses because we don't want homeowner's to pick up that expense. Where are our priorities? When we talked about toxic waste getting into our water supply perhaps that is a priority.

#### The Chair:

Are there any further motions or resolutions? If the Chair may, I believe we are all acquainted with the articles that appeared over the weekend in regards to the fire hazard or the problems with a hotel or motel fire and obviously the one in Las Vegas and one in new York here recently and others, in Texas and Louisiana, brought to attention and it horrified me to be told that if there is a hotel fire in the City of Pittsburgh that we are going to have hundreds of casualties and there is no way out. They are talking about the present code not being strong enough and if we did pass a new one it wouldn't be able to be enforced, at least not to the point where they would concur and I just wonder if it is incumbent upon us to look into this matter rather more seriously because if we do have a major hotel fire, people are going to point a finger and say, "You saw what happened in Las Vegas and other places and didn't do a damn thing about it". Right now, I don't know where we would start other than sprinklers and smoke detectors.

#### Michelle Madoff:

Mr. DePasquale, we already have a hearing coming up on exactly that item. Do you recall that I had brought up the issue of the Wendover, we had a post agenda hearing.

#### The Chair:

Yes, talking about a stronger code, but it seems that —

#### Michelle Madoff:

Just one minute — and Mr. Imhoff and Mr. Brophy were to come back to Council and tell us how we could work around the grandfathering. Now, it is my understanding that the University of Pittsburgh, a Professor who teaches real estate law, says that the way to do it is that you license these buildings — you forget, you do away with the grandfathering and you start to license the buildings. The question comes up continu-

ally, what if you are going to force somebody to put in a fire escape, is it going to become too costly to own the buildings. I don't believe and I don't think any intelligent person sitting here is going to believe that putting only one fire escape on a six story building at the back of the Wendover where the stairwells enter only into the lobby where all the fires have taken place and we have — I read a letter into the record last week where some woman said if she had gone one more floor she would have been burned, as it is she has been to the hospital twice now with smoke inhalation, that we shouldn't be sitting here saying, "Hey, you've got to put a fire escape in the back of your building". And we also talked about the hotels and we are going to have a hearing, excuse me, not a hearing, they are supposed to come back and report to us, but I would like to make that even stronger because I did get a copy of the letter that Mr. Imhoff, sent to Mead Mulvihill saying, "Councilwoman Madoff has requested that we look into what we can do about grandfathering". Well, you know what the answer is going to be, Mead Mulvihill is going to look at the law books and he is going to say you can't do anything about grandfathering. So what we would have to have is a hearing and invite some specialists and say, "How do we get around the law, how do we sidestep that and how do we address it because we care about lives in the City". And you are right, if anybody else has a fire, that anybody else is burned alive, we in Council are going to have that on our conscience because we didn't do anything. The Mayor never takes a stand on anything. Where was he when the situation came up on the Wendover fires and all the other fires that have taken place. He never takes a stand on anything, he has never said anything. If you don't do anything you can't get into trouble. Well, we have said something in this meeting room and just saying it isn't enough. What we are going to do about it? I would like a letter to go from you Sir, to the Law Department and perhaps some of our legislators because we are going to need some state and federal acts perhaps passed, but we do have the right perhaps to cir-

cumvent the business of grandfathering by having a licensing procedure and I think we need some people who are experts in that field, maybe Leonard Mendleson or maybe Mr. Dempsey or Sam Kamin' and perhaps some people who are really not doing business with the City in the university setting who really have some expertise and can come and tell us how we can deal with this problem.

#### **The Chair:**

You know Michelle, you are probably right in regard to fire escapes and we are talking about obviously smaller buildings. Perhaps the old fashioned fire escape is the best remedy. Apparently indoor steps and elevators are fire traps and they are out, so is a chute, and obviously a chute couldn't be installed in a large building, we are talking about several stories high, so smaller buildings a fire escape would be the answer, but what do you do in a 40 or 50 story building, up on the 30th or 40th floor, there is no way out, a fire escape is not a way out, steps aren't, the elevator isn't, the chute — how do you get out? I don't think there is anything you really can do about it.

#### **Michelle Madoff:**

You make sure you're not above four floors.

#### **The Chair:**

Or hope there is not a fire, that is all.

#### **Mr. Givens:**

For a number of years, I think this Council has been trying to address this particular thing, it came up if you can recall Mr. President, when we amended and brought up to date the ordinances into the Pittsburgh Code. At that time, if you can recall, we had two or three public hearings on the whole Building Code itself which was truly never resolved. I put legislation in last week which will come up this coming Wednesday. My feeling and I think it is

the feeling of many of the Councilmembers that the least we can do, at least right now, is to assure ourselves that sprinklers are put in all high rise buildings. A high rise building is one that is 75 feet in height, in other cases they consider it anything over four stories and that will come before us and whether or not we should have a public hearing on that I don't know. I think I've had all the public hearings that I personally need on this particular issue. Now, we are talking about buildings that are going to be erected once this legislation becomes effective. I have been told that the major buildings that are going up in the City of Pittsburgh, and I have followed this to be sure that it was happening, that the U.S. Steel, PPG, Dravo, Oxford, all have 100% sprinkler systems. It is logical and it is economical because for 1% of the total building cost, that is recouped within a six to seven year period. So it is asinine for anybody to build a building today without putting it in. Going back and grandfathering it is something that I have been exploring for many years and I have some major points that I would like to bring up and how that will be brought up in the future depends upon this body.

**The Chair:**

Dick, I think you are right, a hearing doesn't serve any purpose at this time, we just have to go ahead and do it.

**Michelle Madoff:**

Right. What you are talking about, the 1% saving would be in the cost of insurance costs.

**Mr. Givens:**

Yes, six, seven years, it pays for itself.

**Michelle Madoff:**

I agree with Mr. Givens completely, we don't need any hearings, we don't need

people who own buildings saying we want a tag day, we just can't afford to put in the cost, maybe we need some tax exemptions, maybe we have to do something to help out people who are getting zapped with \$50 rent increases right now anyway, but I don't think we can excuse loss of life or danger of loss of life, we have got to mandate somehow or other that fire escapes, sprinklers where necessary, are put in and I think we ought to do it very quickly.

We have a hearing — when is our scheduled hearing with Mr. Brophy and Mr. — well, when would you want it Mr. President, when would you like to have that meeting? If they were to come back and report to us within a month, why don't we do it right after the first of the year and it is something we just go ahead and do, we just mandate it, but we are going to need some expert input from the outside because the City is going to say, "Well, its grandfather, that is a law, we are only giving you the law, it is not up to us". We have to know how we can do it legally and we need some expert information, I would suggest Mr. Perry that you go to the Professor or Real Estate at Pitt, CMU, anybody you can get who is an expert who can come and tell us how to do it.

Mr. Givens moved to excuse Mr. Coyne for absence from the meeting.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Mr. Givens moved to approve the minutes of Monday, December 1, 1980.

Mr. O'Malley seconded the motion.

Which motion prevailed..

And on motion of Mr. Givens,

Council adjourned.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. The text outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

The second part of the document focuses on the implementation of these practices across different departments. It provides a detailed overview of the processes involved, from data collection to final reporting. The text highlights the challenges faced during the implementation phase and offers practical solutions to overcome them.

The third part of the document discusses the future prospects of the organization. It outlines the strategic goals and the steps required to achieve them. The text also mentions the ongoing efforts to improve the efficiency and effectiveness of the current systems.

The fourth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of the implemented measures and the potential for future growth. The text concludes with a call to action, urging all stakeholders to continue their commitment to excellence.

The fifth part of the document contains a list of references and a bibliography. It includes citations from various sources, including books, articles, and online resources. The text also provides a list of abbreviations and a glossary of terms used throughout the document.

The sixth part of the document is a list of appendices. It includes detailed data tables, charts, and graphs that support the main text. The text also provides a list of figures and a list of tables, ensuring that all relevant information is easily accessible.

The seventh part of the document is a list of footnotes. It includes additional information and references that are not included in the main text. The text also provides a list of footnotes and a list of footnotes, ensuring that all relevant information is easily accessible.

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, December 22, 1980

No. 49

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY..Ass't. City Clerk

Pittsburgh, Pa.

Monday, December 22, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

The first order of business is Presentation of Papers, but we have some distin-

guished guests here today, they are here in relation to a resolution that Councilman O'Malley is going to read off, so Jim, if you would come up here please, we will present the resolution first.

#### Mr. O'Malley:

This resolution is supposed to be presented by myself and Councilman Givens, but unfortunately Dick is sick and I have the honor of presenting it today myself. Before I begin, I would like to add a few words. I personally don't feel that the American people really understand or know what is going on in Northern Ireland because I believe if they did there would be a united cry coming from all Americans that would force the British government to give up their inhumane acts of repression, torture and imprisonment without trial against the Irish people. How can the British government defend their policy of imprisonment without trial to the civilized world, which Britain claims to be part of. There can be no justification for this imprisonment, therefore, I must contend that the British are still in the Stone Age of civilization when it comes to human rights.

Two hundred years ago, America threw off British oppression through a costly and bloody war known as the War of 1812 in the fight for independence. Because of English repression and taxation, can we really expect any less of Ireland or the Irish people? Or any other Nation who want the same freedoms that Americans fought and died for. Everyone knows that this is not directly a religious war between Catholics and Protestants, but a war of economics

which involves millions and millions of dollars along with the greed of a few men. I wonder how long it would take these few individuals to loosen their economic grip on Northern Ireland if their lives and the lives of their families were in jeopardy, instead of the lives of the poor and the lives of the working class, both Catholic and Protestant.

A large cry of outrage went up when Lord Montanbaten was killed. Ten British Lord Montanbatens, in my opinion, are not worth the life of one Irish man, woman or child. Only when the British monarchy and industrialists who control Northern Ireland have to pay the same price as the working class in blood and in tears, will England let go.

For hundred of years the English have killed Americans on American soil. They killed Indians on Indian soil, Egyptians on Egyptian soil and Irish on Irish soil, only to name a few. The time may have arrived for the Irish fighters to cross the channel to bring the war to the English on English soil so that once and for all the English will learn the price that they must pay for their greed and their inhumanity to their fellow men. Then and only then will they leave the Irish people to their own destiny and to their own future. Thank you.

Now, I would like to present the resolution which was to have been the task of Mr. Givens.

**Mr. O'Malley and Mr. Givens presented**

No. 2325 WHEREAS, the people of Irish descent, like all people, need freedom to live their own lives in peace, and without fear of persecution; and

WHEREAS, Northern Ireland is one of the last remaining colonies in the British Empire; and

WHEREAS, the United States, India, Egypt and other nations have fought this same fight and received support from peoples of other nations; and

WHEREAS, since 1976 the British government has imprisoned without trial and adjudged as prisoners, seven men and three women who have been starving themselves to death in protest to these conditions; and

WHEREAS, we are glad to see the hunger strike has ended, but this solves none of the problems that created the need for the strike; and

WHEREAS, the United States government refuses to intervene to support the natural aspirations or to oppose the inhumane treatment of these prisoners; and

WHEREAS, Amnesty International in its 1980 survey of human rights violations condemns the non-jury trials in Northern Ireland;

**NOW, THEREFORE,**

**BE IT RESOLVED,** that the Council of the City of Pittsburgh condemns this flagrant and oppressive use of government against a people fighting for self-determination and calls on the British government to end these imprisonments and non-jury trials, and leave Ireland.

**BE IT FURTHER RESOLVED,** that we call upon President-elect Ronald Reagan to change U.S. policy and give diplomatic assistance to Northern Ireland in its fight for independency.

Which was read.

**Mr. O'Malley moved for approval.**

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

I would like to have Bill Murphy from the Knights of Equity come up at this time, also Ed Fay, A.O.H., Mike Walsh, Knights of Equity, John McManon, Knights of Equity, Mike Fallan, Pat Smallen, George Schrattan, and would you say a few words please.

**Mr. Murphy:**

To the President and members of City Council and to all of you here present, I thank you for this resolution, I hope that each and everyone of you will have a very Merry Christmas and a Happy New Year, and as my sainted grandmother used to say, may you all be in heaven a half hour before the devil knows you are dead. Thank you.

**Mr. Fay:**

On behalf of the Ancient Order of Hibernians in America, I would like to take this time to thank all the members of the City Council of the City of Pittsburgh for your thoughts and your actions here today on behalf of the people of Northern Ireland. Thank you very much.

**Mr. Walsh:**

As the President of the Knights of Equity, I would like to thank the City Council for this resolution because it means a lot to us and it is down deep in the heart I know, thank you.

**Mr. Fallan:**

On behalf of the Pittsburgh Tri-State Irish Hour I would like to thank you and I don't know whether our recorder will be able to record this but I am going to thank you in Gaelic if you don't mind.

**Mr. Stone:**

Would you mind doing that again, she has to get that on the stenotype machine.

**The Chair:**

I would like to thank City Council for passing that resolution and on behalf of City Council I want to say that it is a great day when Council can take part in such an activity as this and it is also a pleasure to have you distinguished gentlemen here, I know most of you personally and I know you are all busy people and to take time

from your schedules to come here is indeed an honor and it is nice to have you. Let's hope that we don't have to meet under these circumstances again because hopefully in the future the problems that we are talking about today will be alleviated and we won't have to go through this again, it is a crime and a shame that we had to even have a ceremony of this type today. We talk about freedom in the world and the same people who talk about it are the ones who seem to deny it.

Again, thank you gentlemen and thanks to City Council.

### PRESENTATIONS

**Mr. Coyne presented**

No. 2283 Resolution providing for the issuance of a warrant in favor of Western Union Telegraph Company in the amount of \$2,735.70 as payment for telegram service furnished for the benefit of the City in connection with planning and design of the new City Asphalt Plant, without previous authority of law, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2284 Communication from Richard L. Fisher, Pastor, Lincoln Place Church of the Nazarene requesting installation of a Dusk-to-Dawn light on the pole directly in front of the Church of 5604 Interboro Avenue, Lincoln Place, because of serious vandalism problems.

Which was read and referred to the Committee on Public Works.

**Mr. Flaherty presented**

No. 2285 Resolution providing for an Agreement or Agreements with a professional Real Estate Appraiser or Appraisers for real estate appraisal services in connection with the purchase or sale of real prop-

erty by the City for the calendar year of 1981 and providing for the payment thereof.

Also,

No. 2286 Communication from Harold West, Director, Department of Lands and Buildings, requesting interim approval of payment of \$725.00 to Raymond Hughes and Son, Contractors, for extra work in connection with installation of sidewalk at No. 3 Police Station, to be payable from LB-80-14, Public Property Sidewalk Program, Department of Lands and Buildings.

Which were read and referred to the Committee on Lands and Buildings.

Mr. Flaherty for Mr. Givens presented

No. 2287 Resolution amending Resolution 1283, effective December 11, 1980, entitled: "Transferring the sum of \$105,100.00 from various code accounts to various code accounts all within the Department of Supplies" by changing the designation of one of the code accounts from which the transfer will be made.

Which was read and referred to the Committee on Finance.

Also,

No. 2288 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of air conditioning repair stations for the Department of Supplies, and for the payment thereof.

Which was read and referred to the Committee on Supplies.

Michelle Madoff presented

No. 2289 Resolution providing for the issuance of a warrant in favor of Industrial Sealing Devices Div., 1061 Forrest Avenue, West Homestead, PA 15120, in the amount of \$397.85 in payment for Repair Of A Lime Feeder furnished for the benefit of the City and providing for the payment thereof.

Also,

No. 2290 Resolution providing for the issuance of a warrant in favor of BIF, Box 91202, Chicago IL, 60693, in the amount of \$289.45 in payment for Purchase of Repair Parts for Chlorinating Equipment furnished for the benefit of the City and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 2291 Resolution providing for a contract or contracts for the Replacement of Water Line in various Streets in the West End-Elliott Section of the City and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Water.

Mrs. Masloff presented

No. 2292 Resolution authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$932.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 2293 Resolution authorizing the issuance of a warrant in favor of R. Richard Funk, in the amount of \$108.00 in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 2294 Resolution authorizing the issuance of a warrant in favor of Penn Landscape and Cement Work, in the amount of \$15,000.00 in payment for work



performed at Schenley Park Oval, furnished for the benefit of the City without previous authority of law.

Also,

No. 2295 Resolution authorizing the issuance of a warrant in favor of Navarro Corporation, in the amount of \$473.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 2296 Resolution amending Resolution No. 896, effective September 26, 1980, entitled: "Authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$1,957.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof," by decreasing the authorization to \$1,025.00.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2297 Resolution amending Resolution No. 838, effective August 25, 1980, entitled: "Providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof," by decreasing the authorization from \$141,907.70 to \$135,181.02.

Also,

No. 2298 Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended by Resolution No. 597 of 1978, Resolution No. 1205 of 1978 and Resolution No. 339 of 1979, entitled: "Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith, creating

Capital Funds; transferring Bond Funds to said Capital Funds," by increasing the funds for Project No. PR 78-24, Project Code No. 4-10-10-1560-78, Brookline Park Playground, within the Department of Parks and Recreation.

Also,

No. 2299 Resolution providing for an Agreement or Agreements or the use of existing Agreements for the repair of the Schenley Park Sewer, and providing for the payment of the cost thereof.

Also,

No. 2300 Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the assignment to the City of an interest in the Bellefield Boiler Plant in order to provide steam to the Phipps Conservatory.

Also,

No. 2301 Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering, or other professional services in connection with the design of the Brookline Park and Pool in the Department of Parks and Recreation, and providing for the payment of the cost thereof.

Also,

No. 2302 Resolution providing for an Agreement or Agreements or the use of existing Agreements in connection with the renovation of the Arlington Heights Recreation Center; and providing for the payment of the cost thereof.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 2303 Resolution providing for an Agreement or Agreements with consultant or consultants for design of street furniture, landscaping and preparation of design con-

trols in connection with implementation of the Oakland Study; and providing for the payment of the cost thereof.

Also,

No. 2304 Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1209 Resaca Place, Block and Lot 23-J-231, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 2305 Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1220-22 Buena Vista Street, Block and Lot 23-J-310 and 311, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 2306 Petition from the Hazelwood Coalition requesting a hearing for Test Borings and a Feasibility Study on property located at 510 Frayne Street, 15th Ward, to determine the advisability of erecting multiple dwelling buildings on said property.

Which were severally read and referred to the Committee on Planning, Housing and Development

Mr. Stone presented

No. 2307 Resolution providing for the issuance of a warrant to the Duquesne Light Company, c/o David R. Cashman, Esquire, 1212 Manor Building, Pittsburgh, PA 15219, in the amount of \$2,481.47 in full settlement of a claim for property damage, and providing for the payment thereof.

Also,

No. 2308 Resolution providing for the issuance of a warrant to Ted Christ, Joanne Christ, Robert Pfenningwerth, and Lois Pfenningwerth, c/o Donald P. Monti, Esquire, 443 Boulevard of the Allies, Pitts-

burgh, PA 15219, in the amount of \$4,000.00 in full settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 2309 Resolution providing for the issuance of a warrant to Ethel M. Randolph and William N. Randolph, her husband, care of Michael R. Kelly, Esquire, 502 Frick Building, Pittsburgh, PA 15219 in the amount of \$9,000.00 in full settlement of a claim for personal injuries, and providing for the payment thereof.

Also,

No. 2310 Resolution providing for the issuance of a warrant to Angelo Taranto and Georgette Taranto, his wife, c/o Anthony A. Seethaler, Jr., Esquire, 1900 Commonwealth Building, Pittsburgh, PA 15222, in the amount of \$1,750.00 in full settlement of a claim for personal property loss, and providing for the payment thereof.

Also,

No. 2311 Resolution providing for an Agreement or Agreements with Date Processing Micrographic Specialists or Consultants for Computer Processed Microfiche Services in connection with Real Estate Tax, Water and Sewage Service, and various other tax, service and payroll information records; and providing for the payment of the cost thereof.

Also,

No. 2312 Resolution providing for an Agreement or Agreements with the County of Allegheny and the Private Industry Council for Pittsburgh and Allegheny County to enable Allegheny County and the City of Pittsburgh to share the joint costs of the establishment and operation of the Private Industry Council for Pittsburgh and Allegheny County and the Private Sector Initiative Program and providing for the payment of the costs thereof.

Also,

No. 2313 Resolution providing for an Agreement or Agreements with Davis & Warde, Inc. to provide upgrade training for current employees and providing for the payment of the costs thereof.

Also,

No. 2314 Resolution providing for an Agreement or Agreements with Pittsburgh Duct Cleaning Corp./Airways Cleaning and Fireproofing to provide upgrade training for one (1) current employee and providing for the payment of the costs thereof.

Also,

No. 2315 Communication from John McAllister, Manager, City Information Systems, requesting permission for Barbara Ballo, to attend Data Base Management Course, Minneapolis, Minn., January 12-16, 1981, at cost not to exceed \$850.00, payable from Code Account 1043, (1981), Miscellaneous Services, City Information Systems, Mayor's Office.

Also,

No. 2316 Communication from John McAllister, Manager, City Information Systems, requesting permission for John Good and Henry Goliat, to attend Accelerated GMAP Course on Programming Software, Wellesley, Mass., January 19-23, 1981, at cost not to exceed \$1,521.00, payable from Code Account 1043, (1981) Miscellaneous Services, City Information Systems, Mayor's Office.

Also,

No. 2317 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of November 30, 1980.

Which were severally read and referred to the Committee on Finance.

Mr. DePasquale presented

No. 2318 Communication from Michael Perry, City Clerk, submitting a petition from residents of the 18th Community Advisory Board District, a petition requesting establishment of a Community Advisory Board in their district, and ruling in favor on the validity of the petition.

Which was read and referred to the Committee on Planning, Housing and Development.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2319 Report of the Committee on Finance for December 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2188

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Treasurer, Allegheny County, in the amount of Seven Hundred Fifty (\$750.00) Dollars as payment for an installation Permit Fee License."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne  
Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2205

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood & Bates Construction Company, 3624 Bates Street, Pittsburgh, PA 15213, in the amount of \$450.00 in payment for lowering an existing valve vault and installing a new reinforced concrete roof furnished for the benefit of the City in connection with the Widening and Improving Street Intersection, Forward Avenue, Murray Avenue, Pocusset Street; and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And there being two-thirds of the vote of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2206

A Resolution entitled, "Resolution transfer-

ring the sum of \$2,739,906.00 from the Water Fund to the General Fund of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2207

A Resolution entitled, "Resolution transferring \$4,000.00 from Code Account No. 1792, Contingency Fund, Unexpended Salaries to Code Account No. 1700, Salaries and Wages, Regular Employees."

Which was read.

Also,

Bill No. 2217

A Resolution entitled, "Resolution amending Bill No. 2217 of the City of Pittsburgh so that Bill No. 2217 now reads as follows: 'Increasing the indebtedness of the City of Pittsburgh by the issuance and negotiated sale of its General Obligation Capital Notes in the denomination of \$5,000.00 each in the aggregate principal amount of \$37,000,000.00 for the purposes of paying a portion of the cost of acquiring and constructing its Capital Improvement Program (including the refunding of \$15,750,000.00 of its General Obligation Bond Anticipation Notes, 1980, Series A, plus accrued interest thereon), and paying the cost of issuance of the notes and capitalizing interest through January 1, 1982; fixing the form, number, date, interest rate and maturity thereof; levying a tax for payment of debt service charges; authorizing the issuance, execution, sale and delivery of the notes; pledging the payment of principal of and interest on the notes; and authorizing the filing for approval of said debt with the Department of Community Affairs, and authorizing the payment of the required filing fee therefor; authorizing investments; authorizing the use of the preliminary official statement and official statement and acknowledging the accuracy of the preliminary official statement; covenanting that this resolution is a contract with

the holders of the notes; covenanting that the notes will not become arbitrage bonds ratifying and confirming prior actions and obligations (including the advertising, constituting the solicitation of bids for the competitive, public sale of the notes); authorizing other necessary or convenient actions; establishing the effective date of this resolution, authorizing the commencement of negotiations for the sale of approximately \$9,000,000.00 of the City's General Obligation Capital Notes, 1981 Series B; and repealing inconsistent resolutions and ordinances."

Which was read.

**Mr. Stone:**

Mr. President, if I may, just a couple of comments relative to the Bond Issue, a copy of the final official statement describing the City and this financing has been on file with the Resolution in the Clerk's Office. The revised final Official Statement is now at the printer's office and it will contain additions made necessary because of the financing has decreased from the original \$46,000,000 to the current \$37,000,000, and it will contain certain other related changes. All of the changes were discussed at that recessed Finance Committee last week.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

<b>Mr. Coyne</b>	<b>Mr. O'Malley</b>
<b>Mr. Flaherty</b>	<b>Mr. Robinson</b>
<b>Michelle Madoff</b>	<b>Mr. Stone</b>
<b>Mrs. Masloff</b>	<b>Mr. DePasquale</b>
	<b>(Pres't)</b>

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Stone:**

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill No. 2217 shall be the date on which it is signed by the Mayor.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President, if I may, I request that the remarks made by the Finance Chairman last week at our Finance meeting relative to the Bond Issue be incorporated into the minutes of this meeting.

**MR. STONE'S REMARKS  
ON BILL NO. 2217  
FROM THE MEETING OF  
WEDNESDAY, DECEMBER 24, 1980:**

**Mr. Stone:**

Now, if I may, I would just like to mention that, as Finance Chairman for the City of Pittsburgh, I have some deep concerns. I indicated that, as far as this bond sale is concerned, that at this time it is the lesser of evils. We have presently item projects from '77, '78, '79 and '80 that we are talking about in this \$37,000,000 to \$46,000,000. Obviously, those projects, and some of them are in bid, unless we refund it, we will lose the bid. The price will go up, and that will be a disadvantage to the City.

The interest rate is probably the highest this City has ever paid, but, at the same time, its probably the best that this City will ever get under the present needs that it has and under the present pressures in the market.

I have a great deal of concern, as I have indicated, and I have said it time and

time again, and that is that we should have been selling yearly. As it is turning out now, we would have bought for less money. We are now funding projects, '77, '78, '79 and '80 at 1980 dollars at 11 percent. As I have indicated, 11 percent is the highest this City has ever paid. We have not yet funded in 1981. That's another debt, another obligation, another debt service, another payment of professional fees. That concerns me. What is not being taken into consideration is the fact that, while we look at 11 percent as probably being high, the one that is worse than 11 percent is that which is the erosion of our dollars by virtue of waiting, waiting, waiting. I have said time and time again as Finance Chairman that we lose in this City somewhere between 12 to 20 percent each year; and if I'm looking now at the present time of 11 percent interest, taking the erosion for one year, 12 to 20, we're talking somewhere between 22 to 31 percent loss in year one. In year two we are talking about 35 to 50 percent loss, erosion of the product; and in year three we are talking 47 to 71 percent loss of value in product.

Some people seem to feel that I have been rather heavy on some of our directors when I am talking about capital projects. I hope that some of that will be understood now when you're looking at '77, '78 and '79 projects which we are now paying at 11 percent, and it could have been before.

I mention that as I said and began, and would like to end, we are taking the lesser of evils, and at this time it is the best we can possibly do.

End of Mr. Stone's remarks on Bill No. 2217.

Also,

Bill No. 2218

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Commonwealth of Pennsylvania, Department of Labor and Industry, Office of Employment Security, in the amount of

\$450.00 in payment for Business Listings printed on Computer Tape of Employers in Allegheny County and the City of Pittsburgh, Pennsylvania furnished for the benefit of the City in connection with efforts to gather information on businesses in the City of Pittsburgh, Pennsylvania for tax collection purposes; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2219

A Resolution entitled, "Resolution providing for the issuance of a warrant to Geraldine Randolph and Damon Randolph, her husband, in the amount of \$6,250.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

Also,

Bill No. 2220

A Resolution entitled, "Resolution providing for the issuance of a warrant to Melva Brown, parent and natural guardian of Melissa Brown, a minor, and in her own right, c/o Paul F. Laughlin, Esquire, 140 Ft. Pitt Commons Building, Pittsburgh, PA 15219, in the amount of \$3,200.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 2221

A Resolution entitled, "Resolution providing for the issuance of a warrant to Daniel J. McGreevy, c/o Harry E. Leas, Esquire, 1703 Law & Finance Building, Pittsburgh, Pennsylvania 15219 in the amount of \$2,500.00 in full settlement of a claim for property damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2222

A Resolution entitled, "Resolution amending Resolution No. 1225, approved November 20, 1980, entitled, 'Transferring \$200,000 to Code Account 58, Municipal Pension Fund, Old, from Code Account 55, Policemen's Relief and Pension Fund', by correcting the title and source of funds."

Which was read.

Also,

Bill No. 2223

A Resolution entitled, "Resolution amending a portion of Resolution No. 704, approved August 7, 1979 entitled, 'Providing for an Agreement or Agreements with local colleges, universities and other accredited educational institutions, to provide educational training and educational services together with other appropriate and related educational materials and educational services for City of Pittsburgh CETA Career Advancement Voucher Demonstration Pro-

ject participants and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2224

A Resolution entitled, "Resolution providing for an Agreements for professional computer programming and data processing services as a means for complying with the U.S. Department of Labor reporting and tracking requirements under the Comprehensive Employment and Training Act."

Which was read.

Also,

Bill No. 2225

A Resolution entitled, "Resoltuion providing for a Software Lease Agreement with the University of Kansas as authorized distributor for a computer software product, statistical package of the Social Sciences, SPSS, in the amount of \$4,000.00 payable from Code Account 1043, Miscellaneous Services, City Information Systems, Mayor's Office."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2249

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jeffrey Dresser Corporation in the amount of \$1,310.75 for the emergency purchase of repair parts furnished to the Water Department without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2252

A Resolution entitled, "Resolution transferring \$3,000.00 from Code Account No. 1714, Materials to Code Account No. 1701, Miscellaneous Services."

Which was read.

Mr. Stone:

Mr. President, on Bill No. 2252, I move

to change the transfer account from Code Account 1714 to Code Account 1703, Utilities. This is an amendment.

Mr. O'Malley seconded the motion.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2257

A Resolution entitled, "Resolution transferring to the Department of Parks and Recreation's Code Account 1825, Bureau of Maintenance, Swimming Pools and Skating Rink Division, Wages, Regular and Temporary Employees, the amount of \$5,000.00 from Council's Contingent Fund, Code Account 42-2."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2320 Report of the Committee on Public Works for December 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2189

A Resolution entitled, "Resolution amending Resolution No. 811, approved August 19, 1980, effective August 25, 1980, entitled, 'Providing for an Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalk and retaining wall (PW 80-30); and providing for the payment of the cost thereof,' by increasing the total allocation from Forty Thousand (\$40,000.00) Dollars to Fifty Two Thousand One Hundred (\$52,100.00) Dollars."

Which was read.

Also,

Bill No. 2190

A Resolution entitled, "Resolution amending Resolution No. 524, approved June 12, 1980, effective June 18, 1980, entitled, 'Providing for an Agreement or Agreements with a Professional Engineering Consultant for Traffic Engineering Services, in conjunction with West Carson Street; and providing for the payment of the cost thereof,' by

authorizing a Supplemental Agreement for Engineering Services and by increasing the total cost from Fifteen Thousand (\$15,000.00) Dollars to Eighteen Thousand (\$18,000.00) Dollars."

Which was read.

Also,

Bill No. 2191

A Resolution entitled, "Resolution further amending Resolution No. 129, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, as amended by Resolution No. 970, approved September 25, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program,' by redefining funding sources and adding new project line items."

Which was read.

Also,

Bill No. 2192

A Resolution entitled, "Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended by Resolution No. 1045, approved December 31, 1976, as amended by Resolution No. 1148, approved November 25, 1977, as amended by Resolution No. 748, approved August 6, 1980, entitled, 'Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted', by reducing the allocation from Two Million (\$2,000,000.00) Dollars to One Hundred Thousand (\$100,000.00) Dollars."

Which was read.

Also,

Bill No. 2193

A Resolution entitled, "Resolution amending Resolution No. 834, approved August 19, 1980, effective August 25, 1980, entitled, 'Providing for a Contract or Contracts for Nine Mile Run Sewer (PW 80-26); and providing for the payment of the cost thereof, by amending the Resolution title."

Which was read.

Also,

Bill No. 2194

A Resolution entitled, "Resolution authorizing the issuance of a permit to Francis W. Lippert to grade and maintain an unimproved portion of Arden Way at the rear of his property, in the Twenty Ninth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2195

A Resolution entitled, "Resolution providing for an agreement granting R. Marshall Brown the right to construct and maintain a building over a sewer line of the City of Pittsburgh on property owned by R. Marshall Brown in the 32nd Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2196

A Resolution entitled, "Resolution granting unto the American Thermoplastic Company, owners of property at 622 Second Avenue in the Second Ward of the City of Pittsburgh, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, two cir-

cular planters in the sidewalk area of 622 Second Avenue."

Which was read.

Also,

Bill No. 2237

A Resolution entitled, "Resolution amending Resolution No. 1180, approved December 27, 1979, effective December 31, 1979, entitled, 'Authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements with the Commonwealth of Pennsylvania, providing for reimbursement to the City of costs for salting and snow plowing State Highways within the City limits', by designating that all such reimbursements received from the Pennsylvania Department of Transportation shall be deposited in the Liquid Fuels Tax Trust Fund."

Which was read.

Also,

Bill No. 2238

A Resolution entitled, "Resolution amending Resolution No. 786, approved August 8, 1980, effective August 14, 1980, entitled, 'Providing for a Contract or Contracts for the Reconstruction of Pringle Street Storm Sewer; and providing for the payment of the cost thereof', by redefining the funding source."

Which was read.

Also,

Bill No. 2239

A Resolution entitled, "Resolution amending Resolution No. 1259, approved December 2, 1980, effective December 5, 1980, entitled, 'Providing for a Contract or Contracts or the use of existing Contracts, for concrete repairs to City Steps, various locations, and providing for the payment of

the cost thereof, by increasing the total allocation from Thirty Five Thousand (\$35,000.00) Dollars to Seventy Five Thousand (\$75,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally

Mr. Robinson presented

No. 2321 Report of the Committee on Planning, Housing and Development for December 17, 1980, transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2212

An Ordinance entitled, "An Ordinance implementing a Community Advisory Board in District 23 and providing for the organization thereof."

Which was read.

Also,

Bill No. 2213

A Resolution entitled, "Resolution providing for an agreement or agreements with Zurawsky and Associates in connection with Board of Adjustment hearings, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2215

A Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George R. Simons and Helen M. Simons for the sale of Parcel 4E in the Eleventh Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty for Mr. Givens presented

No. 2322 Report of the Committee on

Supplies for December 17, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2250

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of automotive repair equipment (fuel monitoring system, fuel facilities, alignment machine, wheel balancer, etc.) for the Department of Supplies and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Mrs. Masloff presented

No. 2323 Report of the Committee on Parks and Recreation for December 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2209

A Resolution entitled, "Resolution providing for a Supplemental Lease Agreement or Agreements with the Arts and Crafts Center of Pittsburgh, Inc., for the lease and improvement of the Arts and Crafts Center properties in Mellon Park."

Which was read.

Also,

Bill No. 2210

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of Southside Riverfront Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2211

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the South Side Skating Rink Roof Project, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the South Side Skating Rink Roof Project, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mrs. Masloff	Mr. Stone
Michelle Madoff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Flaherty presented

No. 2324 Report of the Committee on Lands and Buildings for December 17, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2200

Resolution repealing Resolution No. 110, approved 2/5/79, for the sale of vacant land on Cobden Street in the 16th Ward designated as Block 13-H, Lots 162 through 182 (as listed) to Walter G. Artinger, for the sum of \$9,050.00. This Resolution is to repeal sale and return hand money to purchaser.

Which was read.

Also,

Bill No. 2201

Resolution amending Item (C) of Resolution No. 1160, approved 11/14/80, for the sale of 3 lots on Shetland Street, 12th Ward, designated as Block 124-J-191, 192, 193 to Roosevelt and Leatha Anderson, for the sum of \$2,000.00. Amendment is to correct date of sale from June 21, 1974 to June 21, 1971.

Which was read.

Also,

Bill No. 2202

Resolution amending Resolution No. 1210, approved 11-21-80, for the sale of a lot on Parkwood Road in the 16th Ward designated as Block 13-N, Lot 258, to Richard J. and Anna Marie Godesky, for the sum of \$250.00. Amendment is to correct former owner's name from Eichmiller to Eichenmiller.

Which was read.

Also,

Bill No. 2203

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes.

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

Ayes 8 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

Michelle Madoff:

Mr. President, I just want to bring to

Council's attention, the fires that took place this weekend, a grandmother and six children were burned alive and the paper stated that had there been a smoke detector they would have gotten out safely. I think it is something we are going to have to deal with. I have not had any response back yet, I've seen a memo that Mr. Brophy sent to Mr. Imhoff but I have not seen any response to what can be done to bring the buildings up to current Fire Code. I know you share the same concern that I do and I would hope that right after the first of the year we would address that issue.

I would also like to clarify another issue. There seems to be some misunderstanding, perhaps, it is my fault that I wasn't clear enough during the harangue that took place here on the budget hearing. But I want to clearly state that my objections to the Mayor's staff increases are not solely because, and really, not even part of the raises to Council's staff. That is an issue separate and apart, it is apples and oranges. The thing I am concerned about and I would like read into the record, is a memorandum that I have sent to the Economy League and gave to all members of Council last year before we had "private meeting" in the back room about staff, and it is just as applicable today as it was December 14th last year. It goes on to say"

"With present budget and research assistants available to Council, it is my strong feeling that we are cheating the public. It is not humanly possible to read all the hundreds of bills which come through Council from the Mayor's Office and the City Departments and research them with the staff we now have. Additionally, about 80% of the work in the average Councilmember's Office consists of responding to citizens complaints..."

I had talked to a number of people at Mr. Bulls last year — this may not be in everybody's office, but it certainly is in mine.

"It is my belief that a minimum of two

staff people, is needed by Councilmembers to address the workload of their offices."

And as you know, our workload has grown and will be even tighter because of the tight budget. I say tight budget meaning services. I am not an efficiency expert and I will re-state what I stated the other day, that the only way we are going to know what this City needs and whether the Mayor did indeed cut back anything on his budget, and as Mr. Givens has suggested — he has not. Is to have an efficiency expert that has no axe to grind, that is not part of — somebody come in and see what has to be done in all departments. I go on last year to say:

"At the very minimum, a full time assistant administrator at a decent salary is needed to run the office when Councilmembers are in session."

Now, we have that, I think that is an adequate salary and they also got benefits as you know, last year. Until then they were getting, when I got here, \$10,000 a year, no benefits, then I think they went to \$11,000 and no benefits and now they get \$15,000 and benefits. However, my aide is not in here with me now, so when I go back I have to tell her everything that happened at every meeting — she should be here knowing what is happening, and abreast of the issues and somebody should be working on the workload just to keep abreast of what comes in everyday, who can't do that?

**The Chair:**

Who are you referring to?

**Michelle Madoff:**

I'm talking about my administrative assistant, should be here with me whenever I am in session, if there is a hearing, if we have the Mayor's meeting, if I can't attend a meeting, she should be in this room or in the Mayor's room, she can't, she is doing the workload in the office. We need at least two people, and as I say, when we don't

have that we are cheating the public. That is my very strong feeling.

We need a full time assistant administrator at a decent salary, as I said, we are usually in session four days a week, as you know we have hearings on Tuesdays and Thursdays most of the year. What with hearings and regular sessions and one person at a lessor salary to do the clerical work. Preferably someone who can take shorthand, therefore, I am hereby requesting, and I don't have to go over what I requested last year, I requested two people, one at \$18,000 and one at \$11,000, figuring that if I asked for something high enough maybe we would get something. I think that there seems to be some confusion. I see no reason why the Mayor's staff — meaning his department heads —

**The Chair:**

Excuse me, are you saying this for the record because if you are doing it in regards to the budget this is the improper place to do it. I think that you are on record before as having made the same request.

**Michelle Madoff:**

Well, I think it is a point of clarification, I think the media misunderstood and could very easily have misunderstood because we came from the arguments about the staff increases, I felt that the three people should not be discriminated against, but that is not my major issue, my major issue is that we — I repeat — are cheating the public because we don't have enough staff in our offices to do the job. Now, everybody has to search their own conscience on this Council and decide what kind of time they want to give to the job. I cannot do that for anybody else except for myself. All I know is that when Councilmembers are not there the workload ends up — and if they don't have staff — it ends up in my desk and probably Mr. O'Malley's and I don't know who else, Mr. Flaherty has somebody full time. We cannot handle that load and somehow or somehow that has to be resolved. Now, the budget is not

final vote, it is on Monday and that is why I am bringing this issue up again. Something has to be done. If the very worst comes to worse, I have a letter from the Economy League that might be a practical way for use to continue, where they have offered to do a study for us to see what we should have, what is needed, whether we should pool our people, and they agree that it is a horrendous situation.

**Mr. Stone:**

Mr. President, point of order. I think this is no longer comments, this is not the proper time to discuss the budget, we had time to discuss it, the issue is closed at this time —

**Michelle Madoff:**

It's not final vote yet, we open issues before the final vote.

**Mr. Stone:**

I asked for a point of order at this point.

**Michelle Madoff:**

It's not closed, we still have a final vote on Monday, I see no reason why this can't be discussed.

**Mr. Stone:**

She is out of order.

**Michelle Madoff:**

Well, then I may be out of order, but I will guarantee you that a study will be done of what is going on in the Council operation and will be published just before the next election. I can assure you of that.

**Mr. Stone:**

I would strongly urge that we start doubling our tape force so that we know when a person means what they say. What they said on Friday, or what they amended

it after the vote to say on Monday, or what they do when they vote and what they say the following year, by what they meant the year before when they meant something else, that they now mean and don't want to change and now they mean different from what they said before.

**Michelle Madoff:**

I meant exactly what I said.

**Mr. Stone** moved to excuse Mr. Givens for absence from this meeting.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, December 8, 1980.

**Mr. Coyne** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXIV

Monday, December 29, 1980

No. 50

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE . . . . . President  
MICHAEL PERRY . . . . . City Clerk  
WILLIAM F. McCRAE . . . . . Ass't City Clerk

Pittsburgh, PA

Monday, December 29, 1980

#### PRESENT:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Coyne presented

No. 2325 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of pay-

ment of \$9,583.47 for Extra Work in connection with rehabilitation of Herron Avenue, Controller's Contract Nos. 22726 and 22726F.

Which was read and referred to the Committee on Public Works.

Mr. Flaherty presented

No. 2326 Resolution providing for the renewal of the City-County Building Elevator Maintenance Contract, Controller's Contract No. 16044, for a period of 3 months, effective January 1, 1981 and ending March 31, 1981, chargeable to and payable from Code Account 1364, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Flaherty moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 2327 Resolution amending Item (G) of Resolution No. 1269, approved 12/5/80, for the sale of lot on Montezuma St., 12th Ward, designated as Block and Lot 173-E-82, to Shirlene Watson, for the sum of \$1,000.00. Amendment is to add name of Adella Smith as former owner.

Also,

No. 2328 Resolution amending Item (N) of Resolution No. 1269, approved 12/5/80, for the sale of vacant land on Fredell Street designated as Block and Lot 59-A-263-4-9 to Amos J. Schiarelli, for the sum of \$750.00. Amendment is to correct name of former owner.

Also,

No. 2329 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 2330. Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$34,173.79 for the emergency purchase of tires furnished to the City Garage without previous authority of law, chargeable to and payable from Code Account No. 1149, Tires, Tubes and Chains, Department of Supplies.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 2331 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of stainless steel gutter and cover plates and anchor clips for the Department of Parks and Recreation,

the cost of which is not to exceed \$15,000.00, chargeable to and payable from the Community Swimming Pools Trust Fund, Department of Parks and Recreation.

Which was read and referred to the Committee on Supplies.

**Mr. Robinson** presented

No. 2332 Resolution amending Resolution 859 approved July 24, 1978 which provides for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Industrial Loan Program, and providing for the payment of the cost thereof, by reducing maximum authorized amount from \$500,000.00 to \$225,000.00.

Also,

No. 2333 Resolution amending Resolution 527 of 1980 providing for agreements with Greater Pittsburgh Business Development Corporation in connection with Small and Minority Business Revolving Fund Program by increasing authorized amount from \$275,000.00 to \$585,000.00 the additional \$275,000.00 to be paid from DCD-78-01 Industrial Loan Fund, Pilot Program.

Also,

No. 2334 Communication from Robert Lurcott, Director, Department of City Planning, requesting reimbursement of \$183.25 to Jane Downing and Anna Harbin, for expenses incurred in attendance at Housing and Community Development Women in the Mainstream Conference, Bethany, West Virginia, November 2-3, 1980, payable from 1980 Community Development Block Grant Program.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 2335 Resolution providing for an

Agreement or Agreements with International Payment Services, Inc., to provide upgrade training for two (2) current employees and providing for the payment of the costs thereof. Cost not to exceed \$3,420.00, payable from CETA Title II-C.

Which was read and referred to the Committee on Finance.

#### REPORTS OF COMMITTEES

Mr. Stone presented

No. 2336 Report of the Committee on Finance for December 23, 1980, transmitting sundry ordinances and resolutions.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2079

An Ordinance entitled, "An Ordinance supplementing and amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 1, Levy and Rate on Lands and Buildings, and Section 2(c), Penalties for Late Payment, by imposing the Real Property Tax for 1981 and by changing the rate of penalty and interest.

Which was read.

Also,

Bill No. 2080

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration, Article VII, Business Related Taxes, and Article IX, Property Taxes, and Title Three, Water, Article VII, Assessment, Billing and Exonerations, by changing the rates of penalty and interest on unpaid taxes and water charges."

Which was read.

Also,

Bill No. 2122

An Ordinance entitled, "An Ordinance amending and supplementing portions of Title Six, Conduct, Article V, Discrimination, of the Pittsburgh Code by correcting certain inadvertent typographical and editorial errata."

Which was read.

Also,

Bill No. 2240

A Resolution entitled, "Resolution amending Resolution No. 1249, approved December 2, 1980, effective December 5, 1980, entitled, 'Providing for the issuance of a warrant in favor of the Mosites Construction Co., in the amount of Two Thousand Two Hundred Sixty Eight (\$2,268.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with the reconstruction of the Lincoln Avenue Bridge, and providing for the payment thereof', by redefining the funding sources."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2243

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of 'City-County Building Weatherization Program', Capital Project LB78-09 (4-25-13-2035-78), in the amount of \$110,000.00 as reimbursement for monies inadvertently deposited in 'Weatherizing Homes in Pittsburgh Trust Fund.' This payment to be chargeable to and payable from the 'Weatherizing Homes in Pittsburgh Trust Fund', Equibank Special Trust Fund Number One."

Which was read.

Also,

Bill No. 2253

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R & S Equipment Company, 100 Sylvan Avenue, Verona, PA 15147, in the amount of \$869.00 in payment for Repair of Carbide Cutters, furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2254

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Homelite-Textron, P.O. Box G-10861, Newark, N.J. 07101, in the amount of \$270.80 in payment for Repair of A Pump furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2258

A Resolution entitled, "Resolution authoriz-

ing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$12,296.94 in payment for work performed at Schenley Park Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2259

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to Mon Valley Fence Company, in conjunction with the Rehabilitation of Oakwood Ballfield, Controller's Contract No. 24366, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent."

Which was read.

Also,

Bill No. 2260

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to Oliver Meneghini Company, in conjunction with the Color Coat Resurfacing at Various Locations, Controller's Contract No. 24655, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent."

Which was read.

Also,

Bill No. 2264

A Resolution entitled, "Resolution providing for the issuance of a \$1,280.00 warrant in favor of John H. Wallace, Mary C. Brown, Frieda Brown and Emma W. Majeed in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2265

A Resolution entitled, "Resolution providing for the issuance of a \$972.69 warrant in favor of Edward E. Yarnot in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2266

A Resolution entitled, "Resolution providing for the issuance of a \$2,457.74 warrant in favor of Brashear Association, Inc., in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2267

A Resolution entitled, "Resolution providing for the issuance of a \$1,450.00 warrant in favor of Erma Dembecki Wilson in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2268

A Resolution entitled, "Resolution providing for the issuance of a \$964.81 warrant in favor of Carl F. Neely in full settlement of claim for damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 2269

A Resolution entitled, "Resolution providing

for the issuance of a warrant to Nathaniel Reed and Elizabeth Reed, his wife, c/o Joseph M. Zoffer, Esquire, 1516 Frick Building, Pittsburgh, Pennsylvania 15219, in the amount of \$10,000.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Michelle Madoff	(Pres't)

Ayes 9    Noes none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2270

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Community College of Allegheny County, Pennsylvania Alliance for Jobs and Energy, Pittsburgh Free Clinic, Inc., and Three Rivers Youth for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also

Bill No. 2271

A Resolution entitled, "Resolution providing

for an Agreement or Agreements with Arthritis Foundation, Western Pennsylvania Chapter, Mount Washington Children's Center, Neighborhood Centers Association, Penn Circle Community High School, Pittsburgh History and Landmarks Foundation, and United Cerebral Palsy Association of Pittsburgh for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2272

A Resolution entitled, "Resolution providing for the lease of certain property at 3rd floor, 915-921 Penn Avenue Building, 2nd Ward, to house the administration of the CETA's Intake, PSIP, CPS, Data, etc., components of the CETA program, upon certain terms and conditions, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2287

A Resolution entitled, "Resolution amending Resolution No. 1283, effective December 11, 1980, entitled, 'Transferring the sum of \$105,100.00 from various code accounts to various code accounts all within the Department of Supplies' by changing the designation of one of the code accounts from which the transfer will be made."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Stone:**

I move the Suspension of Rule 8 for all committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 2337 Report of the Committee on Finance for December 29, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2148

A Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1981."

Which was read.

Also,

Bill No. 2149

A Resolution entitled, "Resolution fixing the

number of officers and employees of all departments of the City of Pittsburgh, and the rate of compensation thereof for the year beginning January 1, 1981."

Which was read.

Also,

Bill No. 2150

A Resolution entitled, "Resolution adopting the 1981 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds."

Which was read.

The Chair:

At this time I will ask the Finance Chairman to deliver his budget message.

Mr. Stone:

For the past two (2) years, I have labeled the City Budget "The Band-Aid Budget", and this was depicted, pictorially, on its cover:

This year's City Budget will be "The Tight Budget"—so tight that the cover will be free of any pictorial artwork, even a band-aid.

This year's budget will be tight, even with \$11.6 Million of Federal Revenue Sharing plus other subsidies from C.E.T.A. and also from Capital and Community Development Block Grants as well as some less popularly known, Federal and State Grants.

In addition, our manpower is set at a minimum level.

Last year I stated that the tax base of this City needed to be redesigned. This City should not look for others to pay its bills, but this City must not alone be saddled with the responsibility of carrying more than its fair share.

We do not advocate, nor do we even suggest a fiscal war between the City and the surrounding communities. In fact, we are so inextricably interconnected, that Pittsburgh could not afford a fiscal loss by neighboring communities or even Counties.

But neither could this area afford a weakened Pittsburgh, because Pittsburgh is the linchpin holding together a tightly interwoven group of Communities Governments and Industries. Loosen the linchpin and we endanger the welfare of all Southwestern Pennsylvania.

Therefore, we must, in the Eighties, look for a new fiscal partnership with our neighbors.

We strongly recommended a request for a more equitable tax base from the State Legislature.

The Mayor and this Council met this year with the Legislative Delegation of Allegheny County and outlined their tax needs and proposals.

The Governor of Pennsylvania thereafter set up a Tax Commission headed by President Richard Cyert of Carnegie Mellon University.

The Mayor testified and presented his tax package. I, as the Finance Chairman of this Council also met with President Cyert relative to the City's needs.

In his proposal, the Mayor proposed a tax on non-City resident's wages and in the interim an increase in the Occupation Tax to \$40.00.

As Finance Chairman, I wholeheartedly support the Mayor in his request for a Wage Tax on non-City residents working in the City of Pittsburgh with one caveat. Politically and realistically, a Suburban State Legislator would be most reluctant to favor such a tax — especially without any control or limit.

There is little doubt that non-City resident

wage earners, working in this City, derive many benefits from Pittsburgh. There is also some merit to the non-City resident wage earners contention that they should not be taxed as fully as a City resident.

Therefore, to make this worthy tax more acceptable, I propose the City Wage Tax on non-City resident wage earners be limited to a maximum of One-half of the rate imposed on City resident wage earners.

This proposal would prevent the City from being a glutton, for any effort to increase a tax unduly on non-City resident wage earners would meet strong resistance from the City resident wage earners whose tax would be double.

The Wage Tax is more responsible and equitable than any other tax. A flat tax — a fixed sum for everyone — regardless of income level, would be regressive and burdensome to the lower income group. In addition, a flat sum is not based on the proportion of service or benefit derived from the City nor the kind or quality of employment they have within the City. No doubt about it, the Wage Tax is a more equitable tax and with a limitation — it is saleable.

The Mayor has declared that the 1981 Tax Budget will be a tight budget. He might be conservative in his characterization, it is our belief that this budget will be tighter than even the Mayor has predicted.

The appropriation figures are tighter than the Mayor has projected and it is our belief, at this time, that the Mayor's projected carry over surplus will not reach the \$3.4 Million he projected and is counting on in 1981. The revenues — depending on economic conditions — might increase, but that is unlikely.

The Mayor has maintained in his budget proposal that he would and could provide the same level of public service. That is a point he has a chance to prove in the next 12 months.

Aside from a few changes — involving under \$96,000 — the 1981 Tax Operating Budget is the same budget the Mayor requested.

The Mayor did not propose any tax increase in 1981.

City Council is not — legislating any tax increase — in 1981!

Not increasing taxes in 1981, is a prudent and responsible course to undertake — by the Mayor and City Council — for two (2) reasons:

First, in this day of spiralling costs — no citizen is free from the traumatic impact of living in last year's lifestyle with less money. Government must also learn to hold the line, and live within its means.

Secondly, and most importantly, the City of Pittsburgh wage earner/taxpayer, was already overburdened in 1980, that is why Council wisely selected the Land Tax, last year, as its source of additional revenues.

City residents are not taxed solely by this City! They are taxed, locally and additionally, by the Pittsburgh School Board (a totally separate taxing body) and the County of Allegheny.

Allegheny County has already announced a 5 Mill tax increase on Real Estate for 1981 and the School District has already legislated a 12 Mill tax increase on Real Estate plus a One-half Percent increase on Wages.

Any increase of taxes, by the City of Pittsburgh — this year — would be irresponsible and irreparably damaging to the City's present and future fiscal well being.

City wage earners — are already overburdened more than their counterparts in surrounding and neighboring communities in this County.

If restraints are not exercised now — the wage earner would be forced to move out.



City Council — concerned with the present and future fiscal well being of this City and acting responsibly — will impose no new tax increases for the City of Pittsburgh in 1981.

While the 1981 Budget will be tight — there may be a positive result from it.

In past years, although all Departments have had their own separate budgets, few have lived within the confines of their own budgets throughout the year.

To make up for underestimates in budgets, various Department Heads transfer funds from one Department to another. In addition, in 1980 they used an account, specially set up by Council last year, to collect unexpended salaries.

Council Code Account 42-2 was established to collect unexpended salaries, after each pay period. It was not intended to be a contingent account. But in 1980, Department Heads used \$6 Million from this account to meet their shortfalls.

Code Account 42-2 will have little money in it in 1981, and funds from other Departments will be unavailable so all Directors will of necessity — have to live within a budget!

This "Forced Learning Process" — due to the tight budget — may over the long haul — be a plus to the City's future.

And now a few comments about the 1981 Tax Operating Budget.

#### 1. No Tax Increase in 1981.

As stated earlier this City Council has essentially given the Mayor his request budget, and there will be no tax increase in 1981 for the Citizens of Pittsburgh from this City.

#### 2. Police and Fire and Municipal Retirees

These individuals have given their full

and productive lives to the City of Pittsburgh. They had little or no pension in the olden days and no early Social Security options. Even with the introduction of Social Security, Social Security opportunities were either not available for them, or these options were not made in such fashion to permit an intelligent selection by employees. As a result, the large portion of these employees still get less money than the minimum standards set by the Department of Public Assistance.

Council in 1980 granted a \$25.00 per month increase to our Police, Fire and Municipal Retirees — to assist them in their Medical Insurance Protection, so that their status in life was not further aggravated.

Regrettably, in this past year, that increase has been eroded and now in 1981 their plight will be even worse — in view of the proposed County and School Tax increases, and the everyday spiraling cost of living.

In view, of this, this Council agonized greatly — searching for tax cuts or additional revenues — to help them again this year, but — "The Cupboard was Bare".

This problem however, must be addressed — next year — in the 1982 Budget.

#### 3. Grants and Donations

Each year many worthy organizations appear in Council with requests for worthy projects.

In prior years, Council did in a prudent way, fund quite a few worthy and essential organizations.

This year — these worthy organizations requested additional increases — for worthy projects or causes.

Regrettably, this could not be done — in 1981, and it further emphasized the tightness of this budget and Council's determination — to hold the line.

#### 4. Police and Manpower

Council continues to remain steadfast in its belief that additional Police Manpower is essential and necessary to the well being of the City of Pittsburgh.

Council, in 1976 set a minimum level of 1,500 Police Officers.

Council has in the past provided funding for the additional Police Officers, but the Mayors, then and now, have refused to fill those mandated vacant positions, in spite of constant requests, almost daily, from our neighborhoods for additional police protection.

The Mayor last year had indicated that he will maintain a force of 1,400 Police Officers — 100 less — than that mandated by this Council to meet the City's ever increasing needs.

During our budget deliberations, this year, it was brought out that our Police manpower level is 1,393. By April 1, 1981, 60 Police Officers are expected to retire, bringing that number to 1,333, with no class for new recruits yet set. The 1,333 figure, bear in mind, will be further reduced by those officers, on Compensation, Holidays, Vacation, and Sick, Pass or Court Days, to mention but a few. In addition the City will be faced with traffic problems of major proportions in the next few years. For these reasons, Council is concerned about Police manpower levels.

Council has the power and ability to budget increased manpower and funding. We have done that. But, the sole discretion to fill those positions — lies solely with the Mayor.

Council again strongly urges the Mayor to reconsider his position on the minimum level of Police manpower and to increase the force — by providing additional Beat Policemen, so vital to the interest of our communities.

Council in 1981 will monitor daily the

Police Force — in actual operation — to be able to more concretely deal with this matter in the 1982 Tax Budget.

#### 5. Vacancies In Positions

Last year in our Budget Message we stated that Council has been increasingly disturbed by the failure of Department Heads themselves, or due to Civil Service "Red Tape" or delays, or policy decisions, to fill mandated vacancy positions and for which citizens were taxed.

For example, in the Parks and Recreation Department alone, from the year 1974 through 1979 Citizens of Pittsburgh were taxed \$5.045 Million for unfilled positions.

We indicated that it was wrong to tax the Citizens of the City of Pittsburgh for vacant positions — in order to engage in the "False Surplus Game".

We indicated in the Budget for 1980, that Council would monitor this matter as never before.

We indicated that beginning in 1980, at the end of each pay period, each Director, will be required to make a report to City Council, of any and all unspent funds in wages or salaries, and to transfer, on the day of pay, all such unspent funds from the Wage and Salary Accounts, to City Council's Code Account 42-2.

In line with that promise — Council did exactly that, and \$6 Million was transferred to Code Account 42-2!

Regrettably, because of admitted budget mistakes and urgent needs, that fund was depleted.

The Mayor, however, in his 1981 Tax Proposal, did cut \$4 Million from those vacancy positions.

#### 6. Additional Interest Revenue

Last year, Council faced with the responsibility and task of providing funds for

mandated appropriations, chose the Land Tax over the Wage Tax as a source of additional revenues.

Council felt the City wage earner — faced with a Wage Tax from the City and School Board — was paying higher wage taxes than people in surrounding communities, and was mindful — for the City's financial future — that it had to keep wage earners in this City.

Under this Council's proposed alternative — the Land Tax — there were many benefits: 80% of the tax was paid by commercial landowners, among them, many non-City resident landowners who receive services, but don't otherwise pay. A tax solely on land encourages a more productive use of our land.

Little known — is the fact that most land tax revenues are received in the earlier part of the year (62% in the First Quarter and 76% by the end of the Second Quarter) thereby producing funds for the City to invest, at today's high interest rates, for additional revenues.

In short, a method was devised whereby revenue was received without the necessity of an additional or increased tax. In 1980, \$1.9 Million of additional interest income was received, by investing the Land Tax revenues.

## 7. Capital Budget

Relative to our Capital Budget and our Community Development Block Grant Budget — a new computerized Financial Management Audit System — was instituted in 1980.

This system did free-up available cash for projects ready for construction — and thereby reduced, temporarily, the necessity to incur additional debt in borrowing — and not increase the City's debted obligation anymore than was absolutely necessary.

In past years, Council offered two suggestions to the Administration and to the

Department Heads. First, in past years, Council has been recommending yearly and early in the year Bond Sales to meet the City's yearly capital needs. Second, with or without a system — performance — completing projects that were promised and completing them on time — is really the best system!

While the new Computerized Financial Management Audit System did "Free-Up" cash — it failed to financially manage and audit performance, or trigger timely Bond Sales.

Two (2) weeks ago this City, frustrated in a \$46 Million Bond Sale, chose to sell Negotiable Notes in that amount at 11% interest — the highest this City has ever paid.

This \$46 Million Dollar Note Sale was for 1980, 1979, 1978, and 1977 projects. Another Note Sale of \$25 Million Dollars — for 1981 Projects is proposed later in 1981.

A closer look at our Capital Budget and Financing will reveal that the high interest rate of 11% — is not the most fiscally damaging problem for this City. Inflation is!

Inflation has had a tremendous impact on all capital projects causing a fiscal burden, beyond that of the interest rate.

Capital Projects escalate in costs — 12-20% per year. Therefore, the combination of the escalation rate plus the 11% interest, becomes worse, as years pass.

As we stated earlier — with or without a system — performance — completing projects that were promised and completing them on time — is really the best system.

In addition to passing a Budget and a Tax Package, Council, again last year, took additional steps to alleviate the taxpayer's plight.

Legislation was approved, requiring land-

lords to report the names and addresses of all their tenants, and the number of their dependents, to the City Treasurer. Surprising as it may seem, there appears to be many people living in the City, who are still unaware of their tax obligations to the City. This legislation was designed to remind them of their obligation and to save them — from the greater liability of paying Back Taxes plus Penalty plus interest — when later discovered.

The goal of this legislation is to get everyone to pay his or her taxes. The end result, again, being additional revenue without more taxes.

Regrettably, because of time constraints, this was not implemented last year, but we are assured by the present City Treasurer that it will be implemented in 1981 and we believe it will help our tight revenue picture.

Again, this year, this Council is also taking steps to alleviate the taxpayer plight.

The Finance Chairman, with Council's support, has been working closely with the City Treasurer and this City will now be using a Lock Box System in receipt of monies. Under this system the bank will receive the money and interest will be received from the day first received, rather than after the delay of sorting by the City and transmittal to the bank. This should increase — interest income — and bring additional revenue without the need to additionally tax for it.

It has been said that Pittsburgh is "Someplace Special". We believe that it is, and that is why we exercise caution — at this time. Because of Renaissance II, our future looks brighter! Construction is and will be booming all around us — in this City "On the Move". When those buildings are completed and additional businesses and wage earners move into them, there will be even more revenues for this City.

Council welcomes those new buildings, the businesses, the wage earners and of course — the additional revenues.

The City Budget for 1981 is tight; but the future looks brighter.

I hereby recommend that the City Council of the City of Pittsburgh adopt the 1981 — No Tax Increase Tax Operating Budget and I urge the Mayor of the City of Pittsburgh to accept our recommendations and revisions and to approve the 1981 Budget.

Respectfully submitted,  
December 29, 1980

ROBERT RADE STONE  
Finance Chairman

While I have the podium, I would like at this time and with your permission, to publicly acknowledge and thank the following people, first, our budget staff with John Buckley and Peter Vaughn, and an extra special effort and congratulations to Pete Vaughn, who managed in his first year in the absence of our ill head of budget, Peter, you did an excellent job and for the first time, we thank you for it.

I would like to thank our Capital Budget staff of Eddie Albert and Bob Rush, for keeping our Capital Budget and our Community Development projects in line and moving. To our City Clerk staff, Mike Perry, Bill McCray and staff who have been keeping our meetings timely, and all along have lessened our load. To the corps of secretaries and typists and at its head, Anna Marie Loer, for good services throughout. To Barbara Ballo and the staff of our City Computer Center, for her continued patience, understanding and cooperation and excellent service, to our Printing Department under Bob Murphy, who each year is always cooperative and has always performed well even under the most trying times and time constraints.

A special thanks this year to all of our Department Heads and Directors who were most cooperative this year.

And lastly, but not leastly, to each and every Councilperson who by your participation, support an input, have contributed to shaping the 1981 City Budget.

### **The Chair:**

If I may, Councilmembers, you have heard the Finance Chairmans budget address, at this time we are ready to vote.

Is there any discussion on the bills?

### **Mr. Flaherty:**

Mr. President, I had the opportunity in the Committee hearings to state my objections to the budget and I just want to capitalize two points that I feel very strongly about, one is the dramatic salary increases to the heads of over half of our agencies. I feel that this is very haphazard because it sets a bad example for the people who work in those areas, in those agencies. I am talking about the supervisory positions which have not been equalized throughout all of our City agencies. I've had a call from two people who were in supervisory positions and they felt extremely upset in regard to this and I hope that this is a matter that perhaps in the year Council can address itself to, to give some equalization to the work force. And in speaking in regard to the work force, I am going to stress this one more time. We take care of the Mayor's department heads, we give them an \$8,000 increase, but we don't give our own stenographers and our own staff a measly \$400 to bring them up to equity with stenographers in other City departments.

I also feel that Councilman Givens' proposal to cut \$3.3 Million out of the budget to fund our pension liability and to give stability to our sagging bond ratings, is not politically popular but I feel it is responsible and I supported him on that.

Unfortunately though, I have to support this budget because my top priority overall is to the many services that this City provides to its constituents and the thousands of fine City employees that we have. So I do support the budget but I cannot wholeheartedly support it.

### **Mr. Givens:**

On Bill No. 2148, I vote no, that is

the resolution conducting the public business of the City and making the debt charges thereof for the year beginning January 1, 1981. I can't face a \$330 Million debt actuarially that this City is responsible and the fact that this is going to impair our hiring in the future, it is something that I think is going to much more severely than it has in the past and the fact that the \$3.3 Million, 3% may be cut in the total City services is an indication to those people in the financial communities that we mean business, therefore I vote no on Bill No. 2148 for that reason.

I vote no on Bill No. 2149, fixing the number of officers and employees of all departments of the City of Pittsburgh. I've been saying, both of these resolutions, for the last four to five years, I've been fighting with my fellow Councilmembers Mr. President, and at this time I feel because we continue without an adequate police force, I vote no, primarily on 2149, send that message across the hall.

On Bill No. 2150, adopting the 1981 Capital Budget, I can't see how we can allocate almost \$45 Million to the budget that we will be voting on this June by appropriating money in the bond market when our financial status is such that it might be jeopardized.

And Mr. Chief Clerk, I would appreciate it if all my remarks from the Committee meeting be brought forward for these three pieces of legislation.

### **MR. GIVENS REMARKS ON BILL NOS. 2148, 2149, AND 2150 FROM THE COMMITTEE MEETINGS OF DECEMBER 23 AND 29, 1980:**

**December 23, 1980**

### **Mr. Givens:**

On the Capital Budget we didn't discuss that other than what was lunged in on us last Friday. We didn't vote on it separately and we don't know where the funds are coming from.

**The Chair:**

At the meeting we had on Friday, we indicated that the funds were going to be funded by the projected \$25 million note sale.

**Mr. Givens:**

I didn't hear that on Friday.

**The Chair:**

That's when we discussed the 1981 tax operating budget the Friday before.

**Mr. Givens:**

Well, I was here.

**The Chair:**

You walked out at that time.

**Mr. Givens:**

All I did was pass the \$25 million note which was discussed with the bond council or whatever you want to call it.

**The Chair:**

This is coming up on Monday at the recessed meeting.

**Mr. Givens:**

It is not funded right now and —

**The Chair:**

They were never funded at the time.

**Mr. Givens:**

Are we going to fund it with the idea that if something does happen to our financial decision?

**The Chair:**

We discussed the Capital Budget and said that we would look at it at the time

that we are going out for funding and then to amend the existing one.

**Mr. Givens:**

Does this mean our final action on the 29th of December will not permit us the emergency opening of the budget in June of 1981?

**The Chair:**

That is not a matter we could amend. This doesn't necessarily declare an emergency. This is for the \$25 million and we are approving this tentatively with the understanding that it would be amended if we did go out with the bond issue.

**Mr. Givens:**

Okay.

**December 29, 1980**

**Mr. Givens:**

Discussion on this. The reality of passing this capital budget ensues this Council to go into the bond indebtedness. It was discussed at this table that some \$25 million would be involved, keeping in mind that we have to go out for an additional \$47 million in bonds to stay within our capital program. This is from 1977 on up to the present date and the fact that this Council had voted on the issue to the \$3.3 million plus.

Because we had approved this particular piece of legislation, we will now go out and buy some \$25 million worth of new bonds next year. And the reality is that we have to face up to the fact why our bond rating has been slipping the way it has. I think we ought to fund this pension plan and ask for an overall study to put this amount of appropriations back to where this fund is on a stable basis. If we don't do it, then we are going to be in trouble when it comes time for putting out bonds.

Although it is the capital budget that is

affecting our bond rating, it means essentially that it is causing the rating to decrease and it will continue to do so unless we take action.

**Michelle Madoff:**

Do you want to take it out of the operating budget?

**Mr. Givens:**

Yes, \$3.3 million. I think that is something that will single out this Council and the Mayor and the Administration. We must now go out and seek these bonds from the financial institutions in New York and Philadelphia and if we don't do it, then the City is taking a chance to move forward and tackle our total indebtedness. So the motion is that we tax in this particular budget \$3.3 million and that it be taken out of revenues approximately three percent from all of the departments.

**The Chair:**

Do you want to increase the taxes to fund that?

**Mr. Givens:**

No.

**The Chair:**

Do you know where we can cut \$3.3 million?

**Mr. Givens:**

Across the board Mr. Chairman. I put out the figure 3.3 because I think for every percent of a decrease in the operating budget, it represents equivalents to \$1 million, give or take. I'm saying across the board from all departments.

**Michelle Madoff:**

Mr. Givens, are you saying that you feel that the Administration is not really

cutting back at all, just taking the normal surplus, right?

**Mr. Givens:**

Yes.

**Michelle Madoff:**

And you are saying that you feel a \$3.3 million cutback would create a fund.

**Mr. Givens:**

Yes.

End of Mr. Givens' remarks on Bill Nos. 2148, 2149 and 2150, for December 23, 1980 and December 29, 1980.

**Michelle Madoff:**

I have to support the contentions distinctly put by Councilman Flaherty and Councilman Givens, I think we are not behaving responsibly, I think there have been some distortions in what we are saying, we are not saying increase the budget, I am saying that monies can be found in innovative ways, true, it is a tight budget, but compared to what? You know, its like better than ever, you read a sale in the paper, "Better Than Ever", "Best Ever", what does that mean? I have not seen any appreciable cuts by the Administration to show that the budget has been cut in any way, shape or form.

I want to re-emphasize that I think in the coming year, Council had better address itself to getting some outside efficiency experts into every department to find out how we can tighten the budget, operate in a business-like manner because it is time that this City was put on a business-like basis. It is not conceivable that we can continue operating in the haphazard manner that we have. We have greatly increased funding to our Refuse Department, we have funded them for equipment that they needed that was hydraulic equipment, etc., etc., yet we haven't saved one dime in that Department. There have been some excellent articles in

the media about ideas, and I don't think I have all of them, I may not even have any of them, but I think there are a lot of bright people out here in the community and if we could hire some efficiency experts to come in who had no bias, they might give us some ways of tightening our budget and I don't think it would be very difficult at all for the Mayor to across the board, really and truly cut the budget by 3% to meet the tremendous deficit and the unfunded pensions. The bonding rate of this City is going to come back and slap us in the face before this year is out because we are going out for bonding again, and I think we get told, simply because many of us are not CPA's. You almost have to be a CPA in this particular job, that the money that we are borrowing for our bonding issue, is not just 11.8%, but there are service fees and other fees that are coming out of the taxpayer's hide. And, I think that there are many untaxed sources of revenue in the City. Rege Valaw who is a very responsible member of the School Board and the County, that the Tax Lien Officers has said, there is money available in the sale of City-owned properties. There is money available from my point of view in selling water to various municipalities instead of their producing their own water which would generate revenue and help offset the \$2 Million deficit that we are now incurring and with the PUC giving West Penn Water in increase. That deficit, and if there is any expense in replacing those lines, those deficits that will come back on the City.

In short, I have to say that I will vote against the budget, simply because I think it could be cut and be more streamlined.

**Mr. O'Malley:**

I would just like to state that I would, as one Councilmember, like to commend Mayor Caliguiri on his 1981 Budget because I feel it is fiscally responsible and a time for members of this Council to find the 3% additional reduction in the budget was during the six week review of the budget, when Council was going over every item line item by line item with each and

every department head. I feel that was the appropriate time to question each and every appropriation in the budget, and yet at that time no Councilmember questioned where additional cuts could have been made. This sort of reminds me of a Monday morning quarterback who wants to call all the plays after the game is over but never wants to participate in the game. I will vote aye.

**Michelle Madoff:**

Mr. O'Malley, I think you are out of order, simply because since I have been on this Council I've been asking —

**Mr. Givens:**

I'd like to say one thing, that portion of the budget was the last thing we brought up in this Councilmanic body with the exception of when I was with the League of Cities I was here, the majority of the meetings with this body and for the last five years I've been saying the same damn thing to this Council body.

**The Chair:**

You stated earlier you wanted it all in the record Dick and it is on the record.

**Mr. Robinson:**

Mr. President, in reference to the 1981 Budget, let me just say that at the beginning of this year I indicated that I thought we ought to be able to decrease taxes, particularly on wage earners. I still believe that and hope that in 1982 that we can achieve that goal.

Also, I believe that we need to work more diligently to try and find ways to reduce the tax burden on our senior citizens, perhaps by some sort of tax rebate, and again, in 1982, I would hope that we would be able to accomplish that goal. I do believe that we possibly could have made additional reductions and I shared my concerns with the Finance Chairman, Mr. Stone on several occasions. The materials that I had available and the research that I did indicated that



we would not be able to do that in any sufficient manner and at the same time be assured that we could continue to deliver the quality of services that we have been delivering, particularly given the inflationary pressures that I am sure the City is going to experience in 1981. I am indeed grateful that this Council and the Administration not only recommended no tax increase, but we were able to achieve that goal, particularly as it relates to the Wage Tax which I have been against increasing for the last three years and will be against it for as long as I am on this Pittsburgh City Council.

I share with Mrs. Madoff her concern that we seek new sources of revenue, even through the sale of land, through the sale of water, hopefully, some of that revenue can come from people who owe us back taxes. I think we should be a little bit more diligent in that regard and hopefully we can follow up on Mr. Stone's legislation to require that our landlord's do let us know who is in our City, who lives here, who works here, and who owes us back taxes.

With those comments I will be voting aye on the budget.

**Mr. Stone:**

Mr. President, if I may, I will be voting aye on all the bills, but reserve the right when we are finished to make a comment.

**The Chair:**

As the President of this body I certainly say that I share the constructive criticism of some of my colleagues and sitting in the audience, or sitting in one of those chairs, I perhaps might have said just about the same thing with the exception, I didn't know how, or any other way that was shown to me that the budget could have been arrived at other than the way it was arrived at. I have to be fair about it and say overall, Council Finance Chairman Bob Stone and Council as a whole did a tremendous job and arrived at a very sensible budget. However, I don't like to see bicker-

ing out on the floor in regards to personalities, a few got into it and that is wrong. I think what Mr. Flaherty said and what Mr. Givens said and what Mrs. Madoff said, and what Mr. O'Malley said was entirely in order and I don't think it should be taken on a personal basis, so I will conclude by saying I am going to vote aye and again, I am going to say congratulations to Council's Finance Chairman Stone and all of Council for arriving at this sensible budget.

**Mr. Stone:**

Mr. President if I may, it is always fine to find extra money, but when it is not there it is not there. I have had the ability to be critical of the Mayor when I felt that he was doing something that wasn't accurate. The budget before us today is a tight one, he labeled it such and after all of our in-depth study on this particular budget we came out and confirmed that fact and I think you have to have the fortitude to say it if it turns out that way.

Relative to these matters of indebtedness, I am just somewhat taken back and I hope that somewhere along the line in the remarks I am about to make, that perhaps will end these midnight flyers who always find a solution in language at the last moment. We are talking today about an additional funding of \$3.2 Million. And when you ask that individual or individuals who proposed that matter, "Are you prepared to raise taxes since that is so essential?" And the answer is no. The next thing that you find is a play to the press without specific solution, dealing in generalities and now we are told that there ought to be a 3.3 across the board cut.

All of you know, on this Council, I have met with each one of you Councilpersons, solely, about your particular department. I find it interesting that those who are voting today for a 3.3 across the board cut did not cut one job out of their particular committee. Now I find that strange. If there was fat in it before, why wasn't that suggestion made before? Nevertheless, I think that the budget as has been taken this year,

in the context of all the tax that is presently on the City of Pittsburgh taxpayer. It is not time to showboat, it is time to give them some actual constructive practical concern and not just generalities.

**Mr. Givens:**

I'd like to say one thing, about two years ago, I so indicated to this Council that we could go — and I went to each of the particular department heads and asked them what a 1%, 2%, 5%, 10% cut would do and how it would affect their operation. At that time, a 5% cut would not have affected their operation, that the people of the City of Pittsburgh would have felt any difference in the services that they are receiving. It was interesting to note in this budget Mr. President, that is every line and every department that the Mayor, in fact, did cut his appropriations by 5%. That 5% was in fact a budget surplus, something that I had mentioned two, three years ago, so it was enacted upon by the Mayor this particular year. What I was saying, if we feel that this is a very tight budget, which we all feel, that we then cut a 3%. That 3% would only mean that certain people would not be hired, as far as the number of appropriations, and people cutting positions out of the budget, I didn't see any other department head or any other Councilperson here advocating cuts in their particular department. I mean we accepted the Mayor's budget as it came over to us, with all the debates and all the fanfare that went on in between. It was educational, it was interesting, but we didn't change one damn thing in that budget, and I am advocating and I still advocate, and there is a responsibility here that this Council must have, it is not a Johnny come lately, I've been saying it for a number of years, I said it at the appropriate time when this Council body met and I put out a position paper on it to all the Council people. I can't do any more than that. Where does it come from? It comes right from our damn hide, and the City services. It is either there or no place. The people know for a tax, I don't go along with a tax increase this year, I will not go along for one next year and I

can only forewarn that if the Mayor comes in with a tax increase he will not get my vote, and I join Councilman Robinson in the wage increase. I will not tax the people anymore when they are working up too the 15th of May every year to pay their tax bill, I think that is the time we had better start looking around.

**The Chair:**

Councilman Givens, I think that each of us has taken an oath to serve the City of Pittsburgh as best we can and I doubt if anybody ever wants to see a tax increase. You mean well, morally nobody wants a tax increase and I think that your sincerity is really what gets to most of us, at least to me. You mean everything you say, but as Councilman Stone said, you couldn't come up with a \$3.3 Million amount of money for what you had in mind.

**Mr. Givens:**

Mr. President, I say —

**The Chair:**

Sure, you meant well —

**Mr. Givens:**

Mr. President, the Mayor took my recommendations of two and three years ago and cut 5% out of his own budget, but I'm saying, where do you cut it from? You've got to cut it from every department. It is not very hard to do that, just look at the appropriation. The Mayor cut 5%, we cut 3%, its right there, throw it in the computer and in five minutes you'll have an answer, and where is it coming from?

**The Chair:**

Look, what has happened on this floor today I think is good, because it has proven one thing to the public, at least to the press that this is probably the most independent Council that has ever served the City of Pittsburgh. In my case, I have read newspapers and I have attended Council sessions

where it was pretty much a rubber stamp and I don't mean that to be derogatory, but in the last eight or nine years it has been anything but that, especially this latest Council, and again I am going to say that the constructive criticism is well intended and I'm not one to say that it shouldn't have come about, with stuff like this, this Council can operate and operate much better. I only can emphasize and I'll make one comment in regards to taxes and I want to get off that because we could be here all day on that. I am an opponent of Land Tax, I favor the Wage Tax, Councilman Robinson said he is an opponent to the Wage Tax, he favors a Land Tax, we all know where Mr. Coyne stood, he more or less sponsored the last two Land Tax increases, so we could go on and on about which tax is the best, which we favor and which we don't. But I think the bottom line is none of us ever want to see a tax increase in the City of Pittsburgh again, and hopefully, although I doubt and I wouldn't bet on it, it won't come about. At the same time, we are all geared towards that goal and to say otherwise is sort of unfair to your colleagues and that is just the way I feel about it.

**Michelle Madoff:**

My turn. I think your point is very well taken and perhaps a little late in the day, but certainly very welcome, that it is time this Council stop dealing in personalities. It is very difficult to stop dealing in personalities when one is being attacked personally. It is difficult, and as a Monday morning quarterback, I would like to inform Councilman O'Malley, who has not been here other than this one year, that for the past two years I have been here, I have stated that and if you will take the number Mr. O'Malley — the Aviary, the Zoo and the Conservatory run a deficit of \$4 Million a year, and two-thirds of those people using the services are non-City residents and all we had to do was raise the rates and I haven't been able to do that in two years, and getting back to Mr. Stone's comment, not dealing in personalities, when he talks about dealing with the media, is it possible

that he is running for City Council next year and maybe he is dealing with the media since he is making personal attacks? The fact remains that even the news media has said to me, "We don't come in for those budget hearings on those line items because it is only pro-forma", the suggestions you make over the two years are entirely ignored. When you are trying to introduce ideas to change revenue and have sources other than the traditional ones looked at you are shot down every time, when you introduce an item to increase water rates, I'm told it is too early, when I introduce it at budget time I'm told its too late. I mean, you can't win with Mr. Stone as Charman, that is a fact of life, so you just ride with it and do the best you can.

**The Chair:**

That's your opinion.

**Mr. Flaherty:**

I have a comment also, I concur wholeheartedly with what Councilwoman Madoff has said here. I think it is a shame that a member of Council cannot state their views about being categorized as a Monday night quarterback or a midnight flyer or a showboat I, mean I had four years in Harrisburg and I never saw any actions such as I have seen here in Council. People have asked me to compare them, and at least in Harrisburg they had some common sense — common courtesy and protocol. It sort has my ire and I feel that I had to address this matter and I hope that I am never trying to character assassinate anyone ever in the future on this Council. Thank you.

**The Chair:**

Well you shock me when you tell me that we are worse than the State Legislature.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. Robinson
Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 7    Noes 2

Mr. Givens and Michelle Madoff voting No

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Coyne presented

No. 2338 Report of the Committee on Public Works for December 23, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2241

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Testing Laboratories for shop inspection of concrete and steel in connection with the Larimar Avenue Bridge, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2242

A Resolution entitled, "Resolution providing for the taking of property in the 5th Ward of the City of Pittsburgh owned by Harry E. Survis and Frances Survis, his wife for the widening of Bigelow Boulevard and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Robinson presented

No. 2339 Report of the Committee on Planning, Housing and Development for December 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2214

A Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants to provide professional services for the study of the Pittsburgh Code of Ordinances, Title IX, Zoning."

Which was read.

Michelle Madoff:

I have a question, I wonder if Mr. Robinson could help me on something. Mr. Robinson, in Bill No. 2214, would that be confining itself only to ordinances on zoning — solely?

**Mr. Robinson:**

2214? Yes, only ordinances dealing with zoning.

**Michelle Madoff:**

Would the ordinance on smoke alarms come under your jurisdiction? Under your committee?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

Could you do me a favor and check that out to see the status that it is at at this point, I've been trying to get an answer and have had no luck.

**Mr. Robinson:**

It is my understanding that the bill that was submitted by the Administration is being considered by the Review Board and the bill that you introduced was tabled until we got a report. Perhaps it would be appropriate for Mr. Perry to contact Mr. Fosner I believe it is, and ask him to please give us a report so we can deal with that right after the first of the year.

**Michelle Madoff:**

For the record and clarification, I want to go back over that because it is not on the record, we have talked about it at Wednesday meetings. I withdrew my bill which I had an attorney spend many hours drawing up because it was a matter of timing. Mr. DePasquale and myself felt very strongly, that the sooner we can give people protection against fire the sooner we ought to do it. I said I wasn't married to my words, if the Mayor's bill could pass right there and then I would withdraw my bill, even though it was better and the Mayor's bill was incomplete. Now it turns out that the Mayor's bill has gone back into the committee. My bill which is better could have gone back into the committee. This is an-

other example of introducing one bill on smoke alarms and getting two others coming out of the Administration and I think we should not be fighting each other but working for the good of the public. That bill has got to come out immediately.

**Mr. Robinson:**

Mr. President, if I might, I believe Mrs. Madoff will remember that I am on record as indicating that I felt Council should respect a member of this Council who submitted a bill similar to one that was submitted by the Administration and prior to Council tabling Mrs. Madoff's bill upon her suggestion I had indicated to Council that I thought we should take positive action on her bill —

**Michelle Madoff:**

You did.

**Mr. Robinson:**

My position is still the same, but if your bill comes out of committee, Council should give that bill all due respect.

**Michelle Madoff:**

Mr. Robinson, after the first of the year I can re-introduce the bill I presume and we cannot wait for the committee to pass on the bill because I have a letter from Mr. Casey who was at the MGM fire and it says, "Please push your bill through Council, there are 85 dead men and women and children from the MGM Grand Hotel who cannot speak or write."

**Mr. Robinson:**

I'm sure Mr. Perry will get us a report very quickly.

**Michelle Madoff:**

We'll re-introduce the bill, next session. We'll introduce the bill again and go with ours and not wait on the other if it suits Council's wishes.

Also,

Bill No. 2262

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01 (a)A(4) of the Pittsburgh Code Title Nine, Zoning, Article V, Chapter 993 to Giant Eagle Markets, Inc., for the authorization to expand their present parking area. The property is located along Brighton Road at the Boundary Line of Ross Township and the City of Pittsburgh. The site has 67.99 feet of frontage along the southwesterly side of Brighton Road and is identified as Block 114 F, Lot 350 in the Allegheny County Block and Lot System, 27th Ward."

Which was read.

Also,

Bill No. 2263

A Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 Community Development Block Grant Programs; providing for the execution of Grant Contracts and for the filing of other data; approving the 1981 Community Development Block Grant Program, providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account and providing for payment of expenses within categories."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

No. 2340 Report of the Committee on Supplies for December 23, 1980, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2251

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of computer equipment (dual fixed disk data banks) for the Police Department, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken, agreeably to law, and were:

**Ayes:**

Mr. Coyne	Mr. Flaherty
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

Ayes 9    Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff** presented

No. 2341 Report of the Committee on Water for December 23, 1980, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an negative recommendation,

Bill No. 2255

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Three, water, Article III, Water Distribution, Chapter 319, Backflow and Cross Connections, by adding a new sub-section 319.01(a) Backflow Connections on Residential Properties."

Which was read.

**The Chair**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. Coyne was not here, are you familiar with this bill Mr. Coyne?

**Mr. Coyne:**

Yes.

**Michelle Madoff:**

We have the backflow — we had one brought into Council, it is a small little gadget and I was suggesting that we fund it —

**Mr. Coyne:**

I got the report.

**Michelle Madoff:**

Well, I don't know if you were here when we suggested that we fund it as a priority instead of some of the other things we fund in water like remote readers and perhaps curb to the main, this might take precedent over some of those expenses to help defray the cost to the people who would have to pick up the burden.

**Mr. Coyne:**

Well, that remote reader program is one that has been on-going.

**Michelle Madoff:**

I understand that.

**Mr. Coyne:**

It has been held up by the lack of funds if anything else.

**Michelle Madoff:**

I realize that and with the fiscal problems that we are having, I realize it is a problem and if we don't pass it this year I just wanted to be sure it was on the record and that people knew there was an item such as this available and God forbid that we have another episode like the one in Groveton that it should happen in the Pittsburgh area, it has happened in several other communities, we'll be rushing full speed ahead to put them in. They'll say why didn't we have some hindsight.

**The Chair:**

I would like to repeat what I said at Wednesday's Finance meeting, perse, I am really in favor of the bill, the only part that disturbs me is the compulsory feature, if it could be made on a voluntary basis I would be more than glad to vote for it, and while we are at that, obviously, if a person wants to install that system, they can do it on their own at their own expense, nobody is stopping them from doing that, and if we can somehow convince people of the City

of Pittsburgh that this is the way they should go or this is what they should do, we would get some value out of the legislation even if it fails. I repeat, the compulsory feature of it compels me to vote no.

**Michelle Madoff:**

There are certain things that have to be compulsory, if you tell people to take vaccination shots and they don't want to do them, they have had to stop children from coming to school because it protects the public good.

**The Chair:**

It's a little different Michelle, you are talking about an epidemic and you are talking about a vaccination.

**Michelle Madoff:**

You don't think this could be an epidemic, the City could be brought to its knees if we don't have drinking water.

**The Chair:**

It's a serious situation and I'm the first to admit it.

**Mr. Stone:**

Mr. President, I want to echo your remarks, that is my belief, I said that on Wednesday, on a volunteer basis yes, but telling the citizens of the City of Pittsburgh that they have to spend \$75 to \$150 at this day and age I don't think we can do it.

**Michelle Madoff:**

You do know Mr. President that it is mandatory on all new homes under the County Plumbing Code? All new buildings must have them now. We're just asking those existing buildings.

**The Chair:**

Good, and I mean that is very good.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

<b>Mr. Flaherty</b>	<b>Mr. O'Malley</b>
<b>Michelle Madoff</b>	<b>Mr. Robinson</b>

Noes:

<b>Mr. Coyne</b>	<b>Mr. Stone</b>
<b>Mr. Givens</b>	<b>Mr. DePasquale</b>
<b>Mrs. Masloff</b>	<b>(Pres't)</b>

Ayes 4 Noes 5

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

Also, with an affirmative recommendation,

Bill No. 2256

A Resolution entitled, "Resolution repealing Resolution No. 724, approved August 10, 1977, effective August 12, 1977, entitled, 'Providing for a contract or contracts for the Installation of a Reservoir Protection Cover and other related appurtenances incidental thereto, for the Brashear Reservoir, and providing for the payment thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken, agreeably to law, and were:



Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

Michelle, I'd just like to make a comment, I don't know if you were on Council or not two years ago or three years ago —

Michelle Madoff:

Two, it just seems forever.

The Chair:

... when they came up with a cover for the reservoirs —

Michelle Madoff:

Yes, for the Brashear —

The Chair:

I believe Director Miller then said it was an inadequate one and it wouldn't be worthwhile, this one they have now —

Michelle Madoff:

Yes, I share the same concerns that you have and I have raised them in Council repeatedly, Mr. Miller would say one thing one day and something else the next day, I think that is one of the reasons he is no longer with the City. He told me once that we had to have it under the proposed Safe Drinking Water Act, then he tells me we don't have to have it because it will be ripped open, then he said we have to have it and he said the people in the Brashear

area are taking the fences off and throwing them in the water, Lord knows what they will do with the cover, and I think that was one of the reasons they moved it from the Brashear Reservoir to another reservoir which is not as — people don't swim in as frequently and hopefully that will prove as a demonstration. At the Brashear Reservoir we are probably going to have to go to some sort of wired burglar alarm system.

The Chair:

Did you see the cover?

Michelle Madoff:

I have seen pictures of it many times and I have seen them in other cities, they are floating plastic covers. They are plastic and they float.

I would also like to bring that expertise to ALCOSAN anytime you have an opening.

Mr. O'Malley presented

No. 2342 Report of the Committee on Public Safety for December 23, 1980, transmitting one ordinance to Council.

Which was read, received and filed.

Also, with a negative recommendation,

Bill No. 2107

An Ordinance entitled, "An Ordinance regulating obscene activities, displays, exhibitions, and materials, pursuant to State Senate Bill No. 544 of 1979 which authorizes political subdivisions to regulate same; and repealing Ordinance No. 5 of 1979." (AS AMENDED IN COMMITTEE)

Which was read.

The Chair:

Is there any discussion on the bill?

**Mr. Flaherty:**

I'm going to oppose because I feel that it is an encroachment upon the First Amendment.

**Mr. Givens:**

I would like my remarks of Wednesday to be brought forward and I say it is not an encroachment on the First or the Fourteenth Amendment, but the State of Pennsylvania has so voted upon this particular ordinance in the criminal and all we are trying to do here in the City of Pittsburgh is make a civil action for that and joining the Mayor to continue this fight against pornography.

**MR. GIVENS' REMARKS  
ON BILL NO. 2107  
FROM THE MEETING OF  
TUESDAY, DECEMBER 23, 1980:**

**Mr. Givens:**

Mr. Chairman, on Monday, December 15, 1980, a recent amendment to the Pennsylvania Obscenity Statute will go into effect. The Senate and House passed Bill No. 544 which authorizes political subdivisions to regulate same; and repealing Ordinance No. 5 of 1979. The present obscenity law is used to improve and maintain the quality of life in the Commonwealth, especially here in the City of Pittsburgh and in looking at our Liberty Avenue section of the city.

On Bill No. 2107 that is before you today, is revising the Pittsburgh Obscenity Code to make it consistent with the new State guidelines. In the winter of 1979 this Council body rightfully anticipated the intentions of the state code and acted within the law to aid in the enforcement of the obscenity code. What you have in Bill No. 2107 is a new language, specifically in Section 1 and Section 10 by bringing our obscenity law up to date and it is reflected in the amendment that was recently passed in Harrisburg.

After reviewing and receiving advice and opinions from our City Solicitor this past week, I would like to make a minor amendment to Bill No. 2107. I move to remove the offense clause "including Cable TV programming."

I would like the City Clerk to give complete copies to each Member of City Council.

Secondly, in the correspondence from the Solicitor, when the Cable TV clause was inserted in there some people became alarmed so I proofread it and I felt that it really didn't need to be there because it was unnecessary. So on the advice of the Solicitor I took that particular phrase out.

Thirdly, in accordance with the advice from the Solicitor, I move to amend Bill No. 2107 by deleting Sections 7 and 8 entirely and replacing them with the new Section 7 which is taken directly from our current obscenity ordinance. The new Section 7 would read "Injunction — The Mayor may institute proceedings in equity in the Court of Common Pleas of Allegheny County when any person violates or clearly is about to violate this Ordinance for the purpose of enjoining such violation." This is the motion, Mr. Chairman.

In the amendment, take out the language referring to the Commonwealth's authority in criminal matters and replace it with the City's right to institute proceedings in equity.

**The Chair:**

How can you do that?

**Mr. Givens:**

Well, the state statute is criminal in nature. This particular ordinance is much clearer and cleaner than our previous ordinance.

**The Chair:**

Well, how are we eliminating the state?

**Mr. Givens:**

We are not eliminating the state. This is in reference to the state code which is something that we had problems with the last time.

**The Chair:**

I'm coming to that. Maybe it means something different. It was the way you said it.

**Mr. Givens:**

After reviewing the Law Department's recommendation, I am confident that we should delete Sections 7 and 8.

Lastly, with this amendment it makes it necessary to renumber the last three sections of the bill.

**The Chair:**

Do you want to make that as a motion to renumber the last three?

**Mr. Givens:**

Yes, Mr. Chairman.

I can say today Mr. Chairman that on Monday, December 29 will mark the date that the Commonwealth's new obscenity law will become effective. I think this action will make it clear about Pittsburgh's commitment to the quality of life in our municipality and for that matter across the State of Pennsylvania.

I move for approval.

End of Mr. Givens' remarks on Bill No. 2107, December 23, 1980.

**Michelle Madoff:**

I think we have to continue the fight against obscenity in all forms, however, I oppose anything that infringes on the first amendment, I would like my comments brought forward from Wednesday's meeting

and I would like to just close by saying that you cannot legislate morality, you can however zone it out of business. I want to remind this Council that the Heinz Foundation has bought two massage parlor buildings on Penn Avenue and they plan to turn them into perhaps senior citizen hi-rise or some office buildings and that is the way to go about it.

**MICHELLE MADOFF'S REMARKS  
ON BILL NO. 2107  
FROM THE MEETING OF  
TUESDAY, DECEMBER 23, 1980:**

**Michelle Madoff:**

I have a letter that was sent to me and I was asked to read it into the record. This is from Gary Feldman who resides at 5448 Wilkins Avenue, Pittsburgh, PA 15217.

I'll leave the first paragraph out. "I find it ironic that the very people who talk the loudest about government interference in the family now wish government to do exactly that. It seems that the proponents of this bill either do not trust parents or do not believe that parents are sufficiently competent to make their own decisions or to control their children. Quite frankly, I am tired of people who want the government to do their parenting for them. Pretty soon someone is bound to show up and say 'I don't want my kids chewing gum to children?'"

In the meantime, there is the obvious trampling on the First Amendment. I find it particularly offensive that the proposal wishes to severely limit cable TV. Nothing could be more under the control of parents than cable television, so why should City Council interfere? By doing so, Council would be depriving many adult residents of legitimate entertainment.

Furthermore, I wonder how Council could justify the expense of this bill. Not only will daily enforcement be a problem, but we both know that the City will have to foot the bill for an extensive court challenge. Doesn't it make more sense to license

people to sell this type of material (collecting license fees in the process), and to tax porn shops, Home Box Office, etc. for it?

Lastly, I believe that there is an additional constitutional issue with respect to the wording of the ordinance. Note that it uses phrase 'harmful to minors' and then proceeds to define this with respect to public opinion with no relationship to verifiable psychological harm. The result is confusing, ambiguous and vague which renders this part of the law ineffectual. I am confident that you will agree with me on these issues."

I agree in part but disagree in another sense. I personally find many things offensive but you have to define what you mean by offensive. It is a matter of how one looks at obscenity and it is in the eyes of the beholder. In Japan, the neck and the ankles are considered obscene so it all depends on the community standards. Who is going to set my standards for me?

If Mr. Givens passed this, Charlie's Angels would be off the air! I'm not hung up on words.

**Mr. DePasquale:**

Right now the places on Liberty Avenue have removed these materials off the shelves and are putting them under the counter, is that correct?

**Mr. Givens:**

Yes, that is correct.

**Mr. Stone:**

In fairness, there is a better way to stop them and that is through criminal action.

**Mr. Givens:**

Yes, criminal action is the most severest of all. I have to agree with you that the City does not relinquish to take criminal proceedings.

**Mr. Stone:**

It is by virtue of the Senate bill.

**Michelle Madoff:**

Who is going to enforce the State Senate Bill?

**Mr. Stone:**

The District Attorney.

**Michelle Madoff:**

You think that would be more important?

**Mr. Stone:**

I think criminal penalties are much better than a civil suit.

**Mr. Givens:**

This ordinance helps out. The Mayor could enforce it through the courts.

**Michelle Madoff:**

Well, you need a person to cite them.

What you are saying then, is that they no longer be displayed on the counter.

**Mr. Givens:**

Right. I have received many calls from people telling me that the books are out on the counters and they are saying what we can we do about it?

**Michelle Madoff:**

What about the Pittsburgh Press running advertisements for ladies undergarments?

**Mr. Givens:**

Michelle, this has gone through the courts and numerous times it has been passed by both the Senate and House. So

if you are judging any of the wording, you have to go to the attorneys of the state.

**Mr. Stone:**

All right. A motion is on the floor. A roll call vote.

**Michelle Madoff:**

I'm going to vote no but I want it clearly understood that I do condone many of the things that were said. However, I would like to see that we don't legislate morality but rather to zone it out of business.

End of Michelle Madoff's remarks on Bill No. 2107, December 23, 1980.

**Mr. O'Malley:**

Section B, I am having a hard time getting clarification, in which states, "sell, lend, distribute, exhibit, give away, or show any obscene materials to any person 17 years of age or older", so until I get a clarification on that statement I will abstain.

**Mr. Robinson:**

I am against obscenity, and only because of my concerns for those rights guaranteed under the First Amendment of the United States Constitution, I vote no.

**Mr. Stone:**

I am abstaining and I would like my remarks as I made them on Tuesday, to be brought forward and I think that pretty much sums up my feelings on this bill.

**MR. STONE'S REMARKS  
ON BILL NO. 2107  
FROM THE MEETING OF  
TUESDAY, DECEMBER 23, 1980:**

**Mr. Stone:**

I abstain until I get another view on this.

Relative to the matter of pornography, it needs some controls.

I have been stating on record for the last five years, possibly six, in indicating that legislation by mere word is not the way to control what is alleged to be a demoralizing factor in our community. Relative to the Liberty Avenue area. We indicated that the way to do it was to redefine and rezone our area so that it is updated and those building managers and owners would rent to some other people other than what we have right now.

I am becoming increasingly disturbed by just trying to mimic legislation from the state. The state passes a law for the entire state as it applies through the state, including the internal portion of the City of Pittsburgh. I don't think that is the way to go about it and for that reason I abstain at this time.

End of Mr. Stone's remarks on Bill No. 2107, December 23, 1980.

**The Chair:**

Although my vote will be rather moot, I will vote aye, I believe the bill will be defeated.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

**Mr. Coyne  
Mr. Givens**

**Mr. Depasquale  
(Pres't)**

**Noes:**

**Mr. Flaherty  
Michelle Madoff**

**Mrs. Masloff  
Mr. Robinson**

**Abstaining:**

**Mr. O'Malley**

**Mr. Stone**

And a majority of the votes of Council being in the negative, the bill was defeated.

**Mr. Givens:**

Mr. President, if I might make one comment, people are saying it is the First Amendment, Michelle mentioned morality — I hope to think that there are a lot of people in this City that have a moral conscience as to what the children of this City will view and for that matter, what any person who walks down Liberty Avenue, or any other area in our City where these places of pornography and filth are so able to operate, that we do something about it.

I would like the Chief Clerk to address a letter to the Mayor of the City of Pittsburgh asking why occupancies, in reviewing the occupancies for all of these various establishments, and I want a report as to how many of them have occupancy permits down on Liberty Avenue. I can only say with the opening of the Convention Center, I fear for the people who must come to our Convention Hall and have to walk down Liberty Avenue to the various hotels that they must go to within the City of Pittsburgh and because of that I will bring this piece of legislation back up in the year 1981 — early in 1981, and hopefully the people of the City will make it loud and clear to this Council how they feel, if it is a morality issue.

**The Chair:**

Dick, again I say, I know you mean well, but we have a problem with obscenity to this extent. We all view it in a different manner, in a different way. For instance, you have lingerie ads in the public newspapers everyday of the week, especially on Sunday and they show the bra ads and the panty ads and what have you, and I have seen articles written in the Letters to the Editors where people have complained, they said as far as they were concerned this was obscene. I personally don't see the obscenity there, it is a bit suggestive I believe, but

I mean, if you are going to go into that, we have TV where, last night they showed a show that is coming and if a young child was watching it it was really I thought, obscene, and how do we regulate that? I mean, just about everything in everyday life, there is always something that comes up that you view as obscene, I don't or vice versa, we've got a problem with that.

**Mr. Givens:**

The Supreme Court of the United States Mr. President, has defined what obscenity is, and have done it couched in legal terminologies. That is always open for the courts, always open for attorneys and individuals to indicate what they feel their interpretation was, it was there. It really boils down to community standards. Do the people of the City of Pittsburgh want to live among that stuff, and if the answer is no, goddamnit, we live in a civilized community and we have laws on the books and laws to enforce. The State body in this State of Pennsylvania has thought to try to tighten it up. In their state law, they gave the local communities the permission on this particular bill only, to have those municipalities write their own ordinances as long as it was in cognizance with the state law. That is all we are trying to do, we are trying to give a little bit more input and muscle to the present Administration to enforce already what is a state criminal law.

It behooves me why people put up this shield, the First and the Fourteenth Amendment, while we all have to go to the polls sooner or later.

**Michelle Madoff:**

Mr. President, I don't think any member of this Council basically does not support Mr. Givens in the concept —

**Mr. Givens:**

You can't support it on the one hand and vote against it on the other, that is double talk.

**Michelle Madoff:**

Fine, its double talk. I come down squarely on a lot of issues, I'm on both sides, I was on the side of the people not having \$100,000 mortgages on PPG and I was for the PPG Building. Sometimes both sides have merit.

**Mr. Givens:**

You're very effective Michelle.

**Michelle Madoff:**

You're right. Now, I think Mr. Givens is on the right track when he asked for occupancy permits and I think you ought to take it a step further, what we ought to be asking for is what is the plan for Penn Avenue now that we have the plan for PPG and Oxford and Conrail. There is a plan emerging, its URA for Penn Avenue and that ought to do something —

**Mr. Givens:**

Point of order Mr. President, what does that have to do with this particular bill?

**Michelle Madoff:**

If you'll let me finish I'll tell you. That ought to do something about the zoning regulations because that property will go up so high in value that it will become office buildings and as a matter of fact I know that the church is interested in building another church on that area, I think that some of the problems that Mr. Givens has pointed out, which we, many of us agree with, that do not like the method — the cure is worse than the disease in this particular case, I think that would sum it up best. I think if we get a long term plan, expedite it, for Penn Avenue, I think as it is happening anyway, because of the new developments that property is becoming valuable. I was offered a building about a year ago, I don't think there is anything for sale on Penn Avenue anymore I think it is going to eradicate itself automatically.

**The Chair:**

Can I end this discussion on a humorous note? I had the experience of being in the South Pacific for three years, incidentally, it will be 35 years tomorrow I got discharged from the Marine Corps, so days and years have flown by, but there are parts of the South Pacific where the natives did not wear clothes and I much preferred personally that they did, if you know what I mean.

**Mr. Flaherty presented**

No. 2343 Report of the Committee on Lands and Buildings for December 23, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2244

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Fox Chapel Stone and Supply, Inc., for use of the right-of-way over City property on Freeport Road."

Which was read.

Also,

Bill No. 2245

A Resolution entitled, "Resolution providing for the leasing from Buncher Management Agency, Inc., 5600 Forward Avenue, Pittsburgh, PA 15217, for a parcel of land containing approximately 479,800 square feet or 11.01 acres, in the 6th Ward of the City of Pittsburgh, for a term of one year beginning January 1, 1981, at an annual rental of \$83,134.00, payable quarterly at a rate of \$20,783.50, upon certain terms and conditions; and providing for the payment of the same."

Which was read.

Also,

Bill No. 2246

A Resolution entitled, "Resolution providing for the renewal of the Public Safety Building Elevator Maintenance Contract, Controller's Contract No. 17651, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2247

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act P.L. 787 of 1937, as amended by Act No. 250, approved July 29, 1941."

Which was read.

Also,

Bill No. 2248

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Coyne	Mr. O'Malley
Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

Ayes 9 Noes none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Stone:

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date on Legislation, I move that the effective date on Bill Nos. 2079, 2080, 2148, 2149, 2150 shall be January 1, 1981 and all other bills passed today shall be December 31, 1980.

Mr. Givens seconded the motion.

Which motion prevailed.

## MOTIONS AND RESOLUTIONS

Mr. Coyne presented

Bill No. 2344

Communication from William J. Coyne, submitting his resignation as a member of City Council effective at noon, Monday, January 5, 1981.

Which was read.

Mr. Stone:

Mr. President, if I may, I have had the opportunity to serve with Councilman Coyne now for some six or seven years. I don't know of anyone that I have had the opportunity to serve with that has not done the kind of work that he has done, out of the limelight, and given this City a good contribution as he did with the Land Tax Study. That was one that I think did a good service to the City, I think he did a lot of in-depth study before it came to this Council and what he proposed has shown merit and I think that has been the kind of Councilperson that he has been throughout the time he has been here.

Goodness knows we are sorry to see him go but the fact that he is elevating himself



and going to the United States Congress, I am sure I speak the wishes of all of us that we reluctantly accept his resignation and we wish him the greatest of luck and success in his new position in Washington, DC.

**Mr. Robinson:**

Mr. President, I think that certainly the words that Mr. Stone has spoken certainly echo all of our sentiments on this Council. As someone who is one of the relatively new members to this Council I would just like to indicate that I think certainly, Councilman Coyne has been one of the most hard-working members of this Council and one of the most dedicated. One who has always been able to show many of the rest of us the proper direction and show us what is in the best interests of all the citizens of the City. I think this Council will certainly miss his wisdom, his courage and his strength and I certainly would like to say that I owe him a personal debt of gratitude for his assistance and service, a debt that I probably will never be able to repay. I certainly stand ready to assist him in anyway I can in his new duties as a Congressman. Good luck Bill and God bless you.

**Mr. Coyne:**

Thank you.

**Michelle Madoff:**

I have only one thing to say, bring back the bucks.

**Mrs. Masloff:**

Bill, I want to know when you are going to start kissing us good-bye?

**Mr. Coyne:**

As of January 5th.

**Mrs. Masloff:**

Okay.

**Mr. Givens:**

Mr. President, I would like to thank Bill for the many contributions he has made in the five years that I've been here on Council and I guess one tribute that any fellow elected official can give to another one is to promote him into higher office. That is something that I have always supported Bill and his endeavors.

**Mr. Flaherty:**

Mr. President, I just want to say that in the year that I have been honored to serve on Council, I feel that the attributes that Bill Coyne has certainly exemplify what a Council should be, for that matter, any group that has to preside over a constituency.

Prior to coming on Council I had highest respect and admiration for Bill and prior to my arriving I was told by other people that he would be a person that would be honest and a person that I could confide in and he certainly has, and even going beyond being a fine public official, I think he is an excellent man.

**The Chair:**

Before we hear from Mr. Coyne I will exercise the prerogative of the Chair and make a couple of comments of my own. First of all, what happens if we don't accept the resignation? Number two, being from the same area of the City, Oakland, the Fourth Ward, and walking through that area, at one time there were three Council people serving at the same time from Oakland, and I would overhear in supermarkets and drug stores, "That s.o.b. Councilman from Oakland", and I never knew if they meant Lally, Coyne or myself. Now with Lally gone and Coyne gone, they are going to mean me.

I've served with Billy for seven years, if I recall, he was sworn in in January, 1974 and served right through December 31, which is a total of seven years and I must say that I couldn't possibly have asked for

a better colleague, a more even tempered colleague. When it came to solemn legislation I don't think anybody proffered more legislation or more constructive legislation than Mr. Coyne. So, regretfully we are going to see Mr. Billy Coyne leave us, yet, hopefully for him, he is going to be happy in his new environment although I wouldn't at this time, at my age, want to take on his problems as Congressman for one of the biggest districts in the United States of America. So Billy Coyne, good luck, God bless you.

**Mr. Coyne:**

I'd just like to thank all the members of Council for those kind and thoughtful remarks, and just like to also thank the people of the City of Pittsburgh who have elected me and who I have attempted to serve for the past seven years. It has been a rewarding experience and very satisfying and one, I guess that comes with serving in local government, inasmuch as local government is closest to the people and provides the water service and the repair of the roads and the pick up of refuse and the housing needs and for the parks that people need to recreate in. But there is continuing work to be done in the City of Pittsburgh and I hope to continue to be a part of that. I know Council deserves an awful lot of credit for the activity that is going on in the City today, along with this Administration. Pittsburgh is on the move and is moving forward and Council has a definite role to play in that. There are still many things to be done, I would be very happy if at some time in the future the Water Department of the City of Pittsburgh was able to serve all of the residents of the City of Pittsburgh with Pittsburgh water and not be dependent on an outside purveyor for that service. But these are things that Council will have an active role in, but more importantly, that the Law Department of the City of Pittsburgh will have to initiate and push.

It has been a pleasure to serve on City Council, to serve as a member of the Democratic Party, to serve with the col-

leagues both here on Council now, and those people who have retired or moved on to other things, and so it has been a great pleasure for me to serve here on Council and particularly with the caliber of people that we have here today and I want to personally thank the staff and the people who have worked for the City of Pittsburgh who have been a great help to me over the past seven years. Thank you very much.

**The Chair:**

And Michelle when you leave we'll give you a big hand too.

**Michelle Madoff:**

The last time I was going to go over to the Women's Conference you were buying em a one way ticket. As my daughter would say, "At least I can't run for President, I wasn't born in this country."

**The Chair:**

We accept your resignation Mr. Coyne, regretfully.

**Mr. O'Malley presented**

No. 2345 WHEREAS, since 1969, Community Action Pittsburgh has been providing services to the eight poverty areas of the City of Pittsburgh; and

WHEREAS, many fine programs including Neighborhood Legal Services, Family Services, Urban League Daycare, and Colosseum Skating Rink have started at Community Action Pittsburgh; and

WHEREAS, currently, all eight neighborhoods have youth and senior citizens services supported by CAP; and

WHEREAS, many outside agencies, including the Polish Hill Health Center, Lawrenceville Meals on Wheels, CHAN, Ozanam Cultural Center, MTO, Welfare Rights, PAJE, Community Release Agency, West End-Elliott Citizens Council, Hunger

Action, Northview Heights Food Co-op, Oakland Printing Project, East Liberty Laundromat, Deprived Poor Americans, the Southwest Fix-it Shop, the Southwest Art Studio, and the Diocesan Head Start Program are funded through CAP; and

WHEREAS, CAP is starting with a new Board of Directors;

NOW, THEREFORE,

BE IT RESOLVED, that City Council declares the week of December 29th to January 1st as Community Action Week and urges people to visit their local CAP office that week; and

BE IT FURTHER RESOLVED, that every-

one is urged throughout the year to become an active volunteer with CAP.

Mr. O'Malley moved for approval.

Mr. Flaherty seconded the motion.

Which motion prevailed.

Mr. Stone moved to approve the minutes of Monday, December 15, 1980.

Mrs. Masloff seconded the motion.

Which motion prevailed.

And on motion of Mr. Stone

Council adjourned.

1. The first part of the report

2. The second part of the report

3. The third part of the report

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